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नई दिल्ली, शनिवार, मई 23, 1998/ज्येष्ठ 2, 1920

NEW DELHI, SATURDAY, MAY 23, 1998/JYAISTHA 2, 1920

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a
separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

विधि, न्याय और कम्पनी कार्य मंत्रालय
(विधि कार्य विभाग)

नई दिल्ली, 1 मई, 1998

का०आ० 980 :—राष्ट्रपति श्री वी०आर० रेड्डी का
दिनांक 29 अप्रैल, 1998 (अपरान्ह) से भारत के अपर
महासालिसिटर के पद से त्यागपत्र स्वीकार करते हैं।

[सं० एफ० 18(2)/91-न्याय]

ए० सिन्हा, संयुक्त सचिव एवं विधि सलाहकार

MINISTRY OF LAW, JUSTICE AND COMPANY
AFFAIRS

(Department of Legal Affairs)

New Delhi, the 1st May, 1998

S.O. 980.—The President is pleased to accept the resigna-
tion of Shri V. R. Reddy, as Additional Solicitor General of
India w.e.f. 29-04-1998 (AN).

[F. No. 18(2)/91-Judl]

A SINHA, Jt. Secy. & Legal Adviser

नई दिल्ली, 1 मई, 1998

का०आ० 981 :—राष्ट्रपति श्री मनोहर एस० उषगांवकर
का दिनांक 30 अप्रैल, 1998 (अपरान्ह) से भारत के
अपर महासालिसिटर के पद से त्यागपत्र स्वीकार करते हैं।

[सं० एफ० 18(4)/98-न्याय]

ए० सिन्हा, संयुक्त सचिव एवं विधि सलाहकार

New Delhi, the 1st May, 1998

S.O. 981.—The President is pleased to accept the resigna-
tion of Shri Manohar S. Usgaonkar, Additional Solicitor
General of India w.e.f. 30-04-1998 (AN).

[F. No. 18(4)/98-Judl.]

A. SINHA, Jt. Secy. & Legal Adviser

कामिक, लोक शिकायत तथा पेशन मंत्रालय

(कामिक और प्रशिक्षण विभाग)

नई दिल्ली, 1 मई, 1998

का०आ० 982:—केन्द्रीय सरकार, दिल्ली विशेष पुलिस स्थापना अधिनियम 1946 (1946 का अधिनियम सं० 25) की धारा 6 के साथ पठित धारा 5 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए दिनांक 23 मार्च, 1998 के गृह सचिव के सहमति पत्र गृह (पुलिस) अनुभाग-12 संख्या: 21-डी/6-12-98/8 (48) डी/97-लखनऊ द्वारा प्राप्त हुई उत्तर प्रदेश राज्य सरकार की सहमति से दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और अधिकारिता का विस्तार निम्नलिखित अपराधों के अन्वेषण के लिए सम्पूर्ण उत्तर प्रदेश राज्य पर करती है, अर्थात्:—

(क) पुलिस स्टेशन सुभाष नगर, बरेली उत्तर प्रदेश में दर्ज किए गए अपराध संख्या 250/97 के मामले से संबंधित भारतीय दंड संहिता 1860 (1860 का अधिनियम सं० 45) की धारा 396 के अंतर्गत दंडनीय अपराध,

(ख) उपर वर्णित अपराधों के संबंध में या उनसे संसक्त प्रयत्न, दुष्प्रेरण और षड्यंत्र तथा उन्हीं तथ्यों से उत्पन्न होने वाले वैसे ही संयवहार के अनुक्रम में किया गया या किए गए कोई अन्य अपराध ।

[संख्या 228/17/98-एवीडी-II]

हरि सिंह, अवर सचिव

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES
AND PENSION

(Department of Personnel and Training)

New Delhi, the 1st May, 1998

S.O. 982.—In exercise of the powers conferred by Sub-section (1) of Section 5 read with Section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946), the Central Government with the consent of the State Government of Uttar Pradesh vide Home (Police) Section 12 No. 21 D/6-12-98/8(48) D/97 Lucknow dated 23-3-1998, hereby extends the powers and jurisdiction of the members of Delhi Special Police Establishment to the whole of the State of Uttar Pradesh for investigation of offences as hereunder:—

(a) Offences punishable under Section 396 of the Indian Penal Code 1860 (Act No. 45 of 1860) relating to case Crime No. 250/97 of Police Station, Subhash Nagar, District Bareilly, Uttar Pradesh.

(b) Attempts, abetments, and conspiracies in relation to or in connection with the said offence mentioned above and any other offence or offences committed in the course of the same transaction or arising out of the same facts.

[No. 228/17/98-AVD.II]

HARI SINGH, Under Secy.

आदेश

नई दिल्ली, 5 मई, 1998

का०आ० 983:—केन्द्रीय सरकार, दिल्ली विशेष पुलिस स्थापन अधिनियम, 1946 (1946 का अधिनियम सं०

25) की धारा 6 के साथ पठित धारा 5 की उपधारा

(1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए गृह विभाग, मंत्रालय, मुंबई की 23 मार्च, 1998 की अधिसूचना सं० डीसी-0298/सी आर-11/पु० 12 द्वारा दी गई महाराष्ट्र राज्य सरकार की सहमति से, मै० मिश्र धातु निगम लिमिटेड (एक पब्लिक सेक्टर उपक्रम) द्वारा जर्मनी से आयातित एलुमिनियम वैनेडियम की चोरी संबंधी, भारतीय दण्ड संहिता, 1860 (1860 का अधिनियम सं० 45) की धारा 407 के अधीन दंडनीय अपराधों की बाबत बाईकुला के पुलिस थाना में तारीख 22 मई, 1997 को रजिस्ट्रीकृत अपराध सं० 240/97 के अन्वेषण के लिए और उन्हीं तथ्यों से उद्भूत होने वाले या वैसे ही संयवहार के अनुक्रम में किए गए उपरिर्णित अपराध और अन्य किसी अपराध या अपराधों के संबंध में या उनसे संसक्त प्रयत्नों, दुष्प्रेरणों और षड्यंत्रों के अन्वेषण के लिए दिल्ली विशेष पुलिस स्थापन के सदस्यों की शक्तियों और अधिकारिता का विस्तार सम्पूर्ण महाराष्ट्र राज्य पर करती है ।

[सं० 228/22/98-एवीडी-II]

हरि सिंह, अवर सचिव

ORDER

New Delhi, the 5th May, 1998

S.O. 983.—In exercise of the powers conferred by Sub-section (1) of Section 5 read with Section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946), the Central Government with the consent of the State Government of Maharashtra, conveyed vide Home Department, Mantralaya, Mumbai's Notification No. DAC-0298/CR-11/POL-12 of March 23, 1998, hereby extends the powers and jurisdiction of the members of Delhi Special Police Establishment to the whole of the State of Maharashtra for investigation of offences punishable under section 407 of the Indian Penal Code, 1860 (Act No. 45 of 1860) of case Crime No. 240/97 registered at Byculla Police Station on 22nd May, 1997, relating to the missing of Aluminium Vandum imported from Germany by M/s. Mishra Dhatu Nigam Limited (a Public Sector Undertaking) and attempts, abetments and conspiracies in relation to or in connection with the above said offence and any other offence or offences committed in the course of the same transaction or arising out of the same facts.

[No. 228/22/98-AVD.II]

HARI SINGH, Under Secy.

विक्त मंत्रालय

(राजस्व विभाग)

नई दिल्ली, 1 अप्रैल, 1998

का.आ. 984: केन्द्रीय राजस्व अधिनियम बोर्ड 1963 (1963 की सं 54) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार भारतीय सीमा शुल्क एवं केन्द्रीय उत्पाद शुल्क सेवा के एक अधिकारी श्री एस डी सोलंकी की एतद्वारा 1 अप्रैल, 1998 (अपरा-ह्त) से केन्द्रीय उत्पाद शुल्क एवं सीमा शुल्क बोर्ड की अध्यक्ष नियुक्त करती है ।

[फा. सं. ए-19011/13/96-प्रशा.-I]

प्यारे लाल, अवर सचिव

MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 1st April, 1998

S.O. 984.—In exercise of the powers conferred by sub-section (1) of Section 4 of the Central Board of Revenue Act 1963 (No. 54 of 1963), the Central Government hereby appoints Shri D. S. Solanki, an officer of Indian Customs and Central Excise Service, as Chairman of the Central Board of Excise and Customs with effect from 1st April, 1998 (FN).

[F. No. A-19011/13/96-Ad.I]

PYARE LAL, Under Secy.

आदेश

नई दिल्ली, 29 अप्रैल, 1998

स्टाम्प

का० आ० 985.—भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उप-धारा (1) के खंड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा मै० यूनीटेक लिमिटेड, नई दिल्ली को मात्र तेरह लाख सत्तासी हजार पांच सौ रुपये का समेकित स्टाम्प शुल्क अदा करने की अनुमति देती है, जो उक्त कम्पनी द्वारा निम्नलिखित विशिष्ट संख्या वाले मात्र अठारह करोड़ पचास लाख रुपये के कुल मूल्य के सौ-सौ रुपये के सम-मूल्य के 19 प्रतिशत सुरक्षित बिमोच्य अपरिवर्तनीय ऋण-पत्रों पर स्टाम्प शुल्क के कारण प्रभाव्य है:—

- (क) 17 मार्च, 1997 को टेम्पलटन म्यूच्युल फंड टीआईआईएफ को आवंटित 000001 से 200000 तक ;
- (ख) 25 मार्च, 1997 को पंजाब नेशनल बैंक, प्रिंसिपल ट्रस्टी, पीएनबी म्यूच्युल फंड—आरआई-पीएस 90 को आवंटित 000001 से 50000 तक ;
- (ग) 25 मार्च, 1997 को पंजाब नेशनल बैंक, प्रिंसिपल ट्रस्टी, पीएनबी म्यूच्युल फंड—आरआईपीएस 94 को आवंटित 000001 से 150000 तक ;
- (घ) 14 अप्रैल, 1997 को पंजाब नेशनल बैंक, प्रिंसिपल ट्रस्टी, पीएनबी म्यूच्युल फंड—आरआई-पीएस 90 को आवंटित 000001 से 100000 तक ;
- (ङ) 14 अप्रैल, 1997 को पंजाब नेशनल बैंक, प्रिंसिपल ट्रस्टी, पीएनबी म्यूच्युल फंड—आरआई-पीएस 94 को आवंटित 000001 से 200000 तक ;
- (च) 19 मई, 1997 को ऐपल म्यूच्युल फंड को आवंटित 000001 से 200000 तक ;
- (छ) 19 मई, 1997 को टाटा ट्रस्टी कम्पनी लि० को आवंटित 000001 से 250000 तक ;

(ज) 20 अगस्त, 1997 को पीएनबी कैपिटल सर्विस लि० को आवंटित 000001 से 200000 तक ;

(झ) 15 सितम्बर, 1997 को पंजाब नेशनल बैंक को आवंटित 000001 से 500000 तक ।

[सं० 12/98/स्टाम्प/फा० सं० 15/10/98-बि.क.]

एस० कुमार, अवर सचिव

ORDER

New Delhi, the 29th April, 1998

STAMPS

S.O. 985.—In exercise of the powers conferred by clause (b) of sub-section (1) of Section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby permits M/s. Unitech Limited, New Delhi to pay consolidated stamp duty of Rupees thirteen lakhs eighty seven thousands five hundred only chargeable on account of stamp duty on 19 per cent Secured Redeemable Non-Convertible Debentures of Rupees one hundred each at par aggregating to Rupees eighteen crores fifty lakhs only bearing distinctive numbers—

- (a) from 000001 to 200000 allotted to Templeton Mutual Fund-TMF on 17th March, 1997 ;
- (b) from 00001 to 50000 allotted to Punjab National Bank, Principal Trustee, PNB Mutual Fund—RIPS 90 on 25th March, 1997 ;
- (c) from 000001 to 150000 allotted to Punjab National Bank, Principal Trustee PNB Mutual Fund—RIPS 94 on 25th March, 1997 ;
- (d) from 000001 to 100000 allotted to Punjab National Bank, Principal Trustee, PNB Mutual Fund—RIPS 90 on 14th April, 1997 ;
- (e) from 000001 to 200000 allotted to Punjab National Bank, Principal Trustee, PNB Mutual Fund—RIPS 94 on 14th April, 1997 ;
- (f) from 000001 to 200000 allotted to Apple Mutual Fund on 19th May, 1997 ;
- (g) from 000001 to 250000 allotted to Tata Trustee Co. Ltd. on 19th May, 1997 ;
- (h) from 000001 to 200000 allotted to PNB Capital Services Ltd. on 20th August, 1997 ; and
- (i) from 000001 to 500000 allotted to Punjab National Bank on 15th September, 1997 ;

by the said company.

[No. 12/98-STAMPS/F. No. 15/10/98-ST]

S. KUMAR, Under Secy.

आदेश

नई दिल्ली, 1 मई, 1998

स्टाम्प

का० आ० 986.—भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा महाराष्ट्र राज्य वित्त निगम, मुम्बई को मात्र तेरह लाख सत्तासी हजार पांच सौ रु० का समेकित स्टाम्प शुल्क अदा करने की अनुमति प्रदान करती है, जो

निम्नलिखित विशिष्ट संख्या वाले 12.30% एमएसएफसी बांडों-2007 (73वीं श्रृंखला) पर स्टाम्प शुल्क के कारण प्रभाव है :—

- (1) सैम्टल बैंक ऑफ इंडिया को आवंटित किए गए मात्र चार करोड़ अस्सी लाख रु० के समग्र मूल्य के 10-10 लाख रु० के 1 से 48 की संख्या वाले ; पन्ध्रह लाख रु० के समग्र मूल्य के 1-1 लाख रुपए के 49 से 63 तक की संख्या वाले तथा पांच लाख रु० के समग्र मूल्य के 10-10 हजार रु० के 64 से 113 तक की संख्या वाले ;
- (2) देना बैंक को आवंटित किए गए मात्र एक करोड़ रु० के समग्र मूल्य के 10-10 लाख रु० के 114 से 123 तक की संख्या वाले ;
- (3) यूनियन बैंक आफ इंडिया को आवंटित किए गए मात्र एक करोड़ रु० के समग्र मूल्य के 10-10 लाख रु० वाले 124 से 133 तक की संख्या वाले ;
- (4) भारतीय सहकारी बैंक लि० को आवंटित किए गए मात्र चार करोड़ सत्तर लाख रु० के समग्र मूल्य के 10-10 लाख रु० मूल्य वाले 134 से 180 तक की संख्या वाले और 5 लाख रु० के 181 तक की संख्या वाले ;
- (5) जन कल्याण सहकारी बैंक लि० को आवंटित किए गए मात्र तीन करोड़ रु० के समग्र मूल्य के 10-10 लाख रु० वाले 182 से 211 तक की संख्या वाले ;
- (6) स्टेट ट्रांसपोर्ट सहकारी बैंक लि० को आवंटित किए गए मात्र एक करोड़ रु० के समग्र मूल्य के 10-10 लाख रु० मूल्य के 212 से 226 तक की विशिष्ट संख्या वाले ;
- (7) अहमद नगर सहकारी बैंक लि० को आवंटित किए गए मात्र पच्चीस लाख रु० के समग्र मूल्य के 5-5 लाख रु० के 227 से 231 तक की विशिष्ट संख्या वाले ;
- (8) वि थाणे जनता सहकारी बैंक लि० को आवंटित किए गए मात्र एक करोड़ रु० के समग्र मूल्य के 10-10 लाख रु० वाले 231 से 241 तक की विशिष्ट संख्या वाले ;
- (9) शेतकारी सहकारी बैंक लि० को आवंटित किए गए मात्र 50 लाख रु० के समग्र मूल्य वाले 10-10 लाख रु० के 242 से 246 तक की विशिष्ट संख्या वाले ;
- (10) एयर कारपोरेशन कर्मचारी सहकारी बैंक लि० को आवंटित किए गए मात्र पच्चीस लाख रु०

के समग्र मूल्य के 10-10 लाख रु० वाले 247 से 248 तक की विशिष्ट संख्या ।

[सं० 13/98-स्टाम्प/फा०सं० 15/9/98-बि०क०]

एस० कुमार, अवर सचिव

ORDER

New Delhi, the 1st May, 1998

STAMPS

S.O. 986.—In exercise of the powers conferred by clause (b) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby permits Maharashtra State Financial Corporation, Mumbai to pay consolidated stamp duty of rupees thirteen lakhs eighty seven thousands five hundred only chargeable on account of the stamp duty on 12.30% MSFC Bonds-2007 (73rd Series) bearing distinctive numbers—

1. from 1 to 48 of rupees ten lakhs each of the aggregate value of rupees four crore eighty lakhs only, from 49 to 63 of rupees one lakh each of the aggregate value of rupees fifteen lakhs only; and from 64 to 113 of rupees ten thousand each of the aggregate value of rupees five lakhs only allotted to Central Bank of India;
2. from 114 to 123 of rupees ten lakhs each of the aggregate value of rupees one crore only allotted to Dena Bank;
3. from 124 to 133 of rupees ten lakhs each of the aggregate value of rupees one crore only allotted to Union Bank of India;
4. from 134 to 180 of rupees ten lakhs each of the aggregate value of rupees four crores seventy lakhs only and 181 of rupees five lakhs allotted to the Bharat Co-op. Bank Ltd.;
5. from 182 to 211 of rupees ten lakhs each of the aggregate value of rupees three crores only allotted to Janakalyan Sahakari Bank Ltd.;
6. from 212 to 236 of rupees ten lakhs each of the aggregate value of rupees one crore fifty lakhs only allotted to State Transport Co-op. Bank Ltd.;
7. from 227 to 231 of rupees five lakhs each of the aggregate value of rupees twenty five lakhs only allotted to The Ahmednagar Sahakari Bank Ltd.;
8. from 232 to 241 of rupees ten lakhs each of the aggregate value of rupees one crore only allotted to The Thane Janata Sahakari Bank Ltd.;
9. from 242 to 246 of rupees ten lakhs each of the aggregate value of rupees fifty lakhs only allotted to Shetkari Sahakari Bank Ltd.; and
10. from 247 to 248 of rupees ten lakhs each of the aggregate value of rupees twenty lakhs

only and 249 of rupees five lakhs allotted to Air Corporations Employees Co-op Bank Ltd.;

by the said Corporation.

[No. 13/98-STAMPS|F. No. 15/98-ST]
S. KUMAR, Under Secy.

(आर्थिक कार्य विभाग)

(बैंकिंग प्रभाग)

नई दिल्ली, 5 मई, 1998

का०आ० 987.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर एतद्द्वारा, घोषणा करती है कि उक्त अधिनियम की धारा 9 के उपबन्ध कैथोलिक सीरियन बैंक लि० पर इसके द्वारा वेंकुम तालुका में ग्राम चेम्बु, जिला कोट्टायम, केरल राज्य में सब्सेकण सं० 198/9 के अंतर्गत उसके द्वारा धारित 1 एकड़ 81 सेंट्स की अबल सम्पत्ति के संबंध में इस अधिसूचना के प्रकाशित होने की तारीख से 27 जून, 1999 तक की अवधि के लिए लागू नहीं होंगे।

[सं० 15/3/95—बी ओ ए]

के०के० मंगल, अवर सचिव

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 5th May, 1998

S.O. 987.—In exercise of the powers conferred by Section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government on the recommendation of the Reserve Bank of India, hereby declares that the provisions of Section 9 of the said Act shall not apply to the Catholic Syrian Bank Ltd, for a period upto 27th June 1999 in respect of Immovable property of 1 acre 81 cents held by it under Survey No. 198/9 of Chembu Village in Vaikom Taluka, Kottayam Districts in Kerala State.

[No. 15/3/95-BOA]

K. K. MANGAL, Under Secy.

नई दिल्ली, 13 मई, 1998

का०आ० 988.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उपनियम (4) के अनुसरण में, संलग्न अनुबंध में निम्नलिखित बैंकों के सूचीबद्ध कार्यालयों/शाखाओं को, जिनके 80% से अधिक कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है :—

क्रम सं.	बैंक का नाम	कार्यालयों शाखाओं की संख्या
1.	यूनियन बैंक ऑफ इंडिया	18
2.	कापेरिशन बैंक	02
		20

[फा. सं. 11016/2/98-हिन्दी]

रमेश नाबू अणियेरी, उपनिदेशक (राजभाषा)

अनुबन्ध

यूनियन बैंक ऑफ इंडिया

- यूनियन बैंक ऑफ इंडिया
इटावा शाखा
सिविल लाइन्स
इटावा
- यूनियन बैंक ऑफ इंडिया
फर्रुखाबाद शाखा
लोहाई रोड, 1/1
फर्रुखाबाद
- यूनियन बैंक ऑफ इंडिया
कानपुर सिविल लाइन्स
उन्नाव
- यूनियन बैंक ऑफ इंडिया
एल.आई.सी. कालोनी,
फर्रुखाबाद

- | | |
|---|--|
| <p>5. यूनिजन बैंक ऑफ इंडिया
मेरठ पुरानी मंडी शाखा
निकट थाना मंडी
जिला सहारनपुर
(उ.प्र.)-247 001</p> <p>6. यूनिजन बैंक ऑफ इंडिया
वाडिया इन्स्टीट्यूट शाखा,
33, जनरल माधो सिंह मार्ग,
वेहराघून-248 001 (उ.प्र.)</p> <p>7. यूनिजन बैंक ऑफ इंडिया
आई.डी.ए. शाखा
आई.डी.ए. भवन,
7, रेसकोर्स रोड,
इंदौर-450 003</p> <p>8. यूनिजन बैंक ऑफ इंडिया
गीता भवन शाखा
गीता भवन, मनोरमा गंज,
इंदौर-452 001</p> <p>9. यूनिजन बैंक ऑफ इंडिया
सरस्वती शिशु मंदिर शाखा,
ऋषि नगर, उज्जैन (म.प्र.)</p> <p>10. यूनिजन बैंक ऑफ इंडिया
मिस हिस्स स्कूल शाखा
कला वीथिका के पास
पड़ाव, ग्वालियर-474 002</p> <p>11. यूनिजन बैंक ऑफ इंडिया
बड़खल लेक शाखा, फरीदाबाद,
पाली रोड, बड़खल फरीदाबाद (हरियाणा)</p> <p>12. यूनिजन बैंक ऑफ इंडिया
माला शाखा
11/667 मेन रोड,
मु. पोस्ट माला, जिला त्रिचूर
केरल-680 732</p> <p>13. यूनिजन बैंक ऑफ इंडिया
पूषितोड शाखा,
पोस्ट पूषितोड, ग्हाया पेरुयन्तमुष्सी,
जिल्हा कोमिकोड, केरल-670 528</p> | <p>14. यूनिजन बैंक ऑफ इंडिया
पुषकळ शाखा,
सेम बिल्डिंग, पो. अमला नगर,
जिला त्रिचूर, केरल-680 551</p> <p>15. यूनिजन बैंक ऑफ इंडिया
पडरौना शाखा
हनुमान मार्किट,
कोतवाली रोड, पडरौना,
कुशीनगर-274 304</p> <p>16. यूनिजन बैंक ऑफ इंडिया
बस्ती शाखा,
स्टेशन रोड, बस्ती-272 001</p> <p>17. यूनिजन बैंक ऑफ इंडिया
एस. एस.बी. शाखा, आजमगढ़,
99, तकिया, आजमगढ़,
जनपद, आजमगढ़,
(उ.प्र.)-276 001</p> <p>18. यूनिजन बैंक ऑफ इंडिया
हाथरस शाखा,
प्रथम तल, सुभाष मार्केट,
बागला मार्ग, हाथरस,
जिला-महामाया नगर (उ.प्र.)</p> <p>कापेरिशन बैंक</p> <p>1. कापेरिशन बैंक,
क्षेत्रीय कार्यालय,
45/3, गोपालकृष्ण काम्प्लेक्स,
रेसिडेन्सी क्रास रोड,
बैंगलूर-560 025</p> <p>2. कापेरिशन बैंक,
सं : 40, लेडी कर्जन रोड,
मिबाजी नगर,
बैंगलूर-560 001</p> |
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New Delhi, the 13th May, 1998

S.O. 988.—In pursuance of sub-rule (4) of Rule 10 of the Official Languages (Use for official purposes of the Union) Rules, 1976 the Central Government, hereby notifies the listed

offices/branches of the following banks in the attached annexure, more than 80 per cent of the staff whereof have acquired the working knowledge of Hindi :—

S. No.	Name of the Bank	Number of Offices/ Branches
1.	Union Bank of India	18
2.	Corporation Bank	02
	Total	20

ANNEXURE

[F. No. 11016/2/98-Hindi]

ROMESH BABU ANIYERY, Dy. Director (O.L.)

UNION BANK OF INDIA

1. Union Bank of India,
Etawah Branch,
Civil Lines,
Etawah.
2. Union Bank of India,
Farrukhabad Branch,
Lohai Road,
Farrukhabad.
3. Union Bank of India,
Kanpur Civil Lines,
Unnao.
4. Union Bank of India,
L.I.C. Colony,
Allahabad.
5. Union Bank of India,
Meerut Purani Mandi Branch,
Near Thana Mandi,
Distt. Saharanpur. (U.P.) 247001.
6. Union Bank of India,
Wadia Institute Branch,
33, Gen. Madho Singh Marg,
Dehradun-248001 (U.P.).
7. Union Bank of India,
I.D.A. Branch,
I.D.A. Bhavan, 7, Racecourse Road,
Indore-450003.
8. Union Bank of India,
Geeta Bhavan, Manoramaganj,
Indore-452001.
9. Union Bank of India,
Saraswati Shishu Mandir Branch,
Rishinagar. Ujjain (M.P.).
10. Union Bank of India,
Miss Hills School Branch,
Near Kala Vihika,
Padav, Gwalior-474002.

11. Union Bank of India,
Badkhal Lake Br., Faridabad,
Pali Road, Badkhal,
Faridabad (Haryana).
12. Union Bank of India,
Mala Branch,
11/667, Main Road,
P.O. Mala, District Trichur,
Kerala 680732.
13. Union Bank of India,
Pushitod Branch,
Post Pushitod,
Via Peeruvanamuzi, Distt. Kozikode,
Kerala-673528.
14. Union Bank of India,
Pushakkal Branch,
Sam Building,
Post Amla Nagar, Distt. Trichur,
Kerala-680551.
15. Union Bank of India,
Padrauna Branch,
Hanuman Market,
Kotwali Road,
Kushinagar-274304.
16. Union Bank of India,
Basti Branch,
Station Road,
Basti-272001.
17. Union Bank of India,
S.S.B. Branch, Azamgarh,
99, Takia, Azamgarh,
Janpad, Azamgarh,
(U.P.), 276001.
18. Union Bank of India,
Hathras Branch,
1st Floor,
Subhash Market, Bagla Market,
Hathras,
Distt. Mahamaya Nagar (U.P.).

CORPORATION BANK

1. Corporation Bank,
Regional Office,
45/3, Gopalakrishna Complex,
Residency Cross Road,
Bangalore-560025.
2. Corporation Bank,
No. 40, Lady Curzon Road,
Shivaji Nagar, j
Bangalore-560001.

केन्द्रीय उत्पाद एवं सीमा शुल्क आयुक्त कार्यालय

तालिका

संख्या : 02/1998

नागपुर, 17 अप्रैल, 1998

का०आ०९८९—श्रीमति एस०भार० देशभारतार, प्रशासनिक अधिकारी, केन्द्रीय उत्पाद एवं सीमा शुल्क आयुक्तालय, नागपुर निवर्तन की आयु प्राप्त करने पर दिनांक 31 मार्च, 1998 को अपराह्न में शासकीय सेवा से निवृत्त हुई है।

[प० सं० 11(7)/4/97/स्था० 1/9676]

अनिल कुमार, उप आयुक्त (कार्मिक एवं सतर्कता)

OFFICE OF THE COMMISSIONER OF CENTRAL
EXCISE AND CUSTOMS

No. 02/1998

Nagpur, the 17th April, 1998

S.O. 989.—Smt. S. R. Deshbharatar, Administrative Officer, Central Excise and Customs, Nagpur Commissionerate having attained the age of superannuation, retired from Government service in the afternoon of 31-03-98.

[C. No. II(7)4/97/Et. I/9676]

ANIL KUMAR, Dy. Commissioner (P&V)

इलेक्ट्रानिकी विभाग

नई दिल्ली, 3 फरवरी, 1998

का०आ०९९०—सार्वजनिक भवन (अनधिकृत कब्जे की बेवखली) अधिनियम, 1971 (1971 का 40) की धारा 3 के द्वारा प्रदत्त शक्तियों प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा निम्नलिखित तालिका के कॉलम (1) में उल्लिखित अधिकारी सीएमसी लिमिटेड में भारत सरकार के राजपत्रित अधिकारी के समतुल्य अधिकारी होने के कारण उपर्युक्त अधिनियम के प्रयोजन में उन्हें सम्भाव अधिकारी के रूप में कार्य करने के लिए नियुक्त करती है और यह आदेश देती है कि उक्त अधिकारी प्रदत्त शक्तियों का प्रयोग करेंगे तथा उक्त तालिका के कॉलम (2) में विनिर्दिष्ट सार्वजनिक परिसर के संबंध में अपने कार्यक्षेत्र की स्थानीय सीमा के अधीन रहते हुए उक्त अधिनियम के अन्तर्गत अथवा इसके द्वारा विनिर्दिष्ट कार्यों का निष्पादन करेंगे।

अधिकारी का पद सार्वजनिक भवन की श्रेणी वा कार्य क्षेत्र की स्थानीय सीमा

(1)

(2)

1. श्री एस के सी भारत के विभिन्न स्थानों में सीएमसी माथुर, अतिरिक्तलिमिटेड के स्वामित्व के अधीन या पट्टे महा प्रबंधक पर ली गई सभी भूमियां एवं भवन एवं कम्पनी सचिव सीएमसी लिमिटेड, दिल्ली

[सं 2(18)/97-पीएसयू]

माजाद सिंह नेहरा, उप निदेशक

DEPARTMENT OF ELECTRONICS

New Delhi, the 3rd February, 1998

S.O. 990.—In exercise of the powers conferred by Section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), the Central Government hereby appoints the officer mentioned in column (1) of the Table below, being officer of the CMC Ltd. equivalent to the rank of Gazetted Officer of the Government of India, to be Estate Officer for the purposes of the said Act and further directs that the said officer shall exercise the powers conferred and perform the duties imposed on estate officer by or under the said Act within the local limits of his jurisdiction in respect of the public premises specified in column (2) of the said Table :

TABLE

Designation of the Officer	Categories of the public premises and local limits of jurisdiction
(1)	(2)
1. Shri S.K.C. Mathur, Additional General Manager and Company Secretary, CFC Ltd., Delhi.	All lands and buildings owned or taken on lease by CMC Ltd. at various places throughout India.

[No. 2(18)/97-FSU]

A. S. NEHRA, Dy. Director

नई दिल्ली, 18 मई, 1998

का. आ. 991 :- केन्द्रीय सरकार ने, पेट्रोलियम और खनिज पाईपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्रकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 2675, तारीख 10 अक्टूबर 1997 द्वारा पेट्रोलियम के परिवहन के लिए गुजरात राज्य में वाडीनार से मध्य प्रदेश राज्य में बीना तक पाइप लाईन बिछाने के प्रयोजनार्थ उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार के अर्जन के अपने आशय की घोषणा की थी ;

और उक्त राजपत्रित अधिसूचना की प्रतियाँ जनता को तारीख 29 अक्टूबर 1997 को उपलब्ध करा दी गई थी ;

और उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में राशम प्राधिकारी ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ;

और केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग का अधिकार अर्जित किया जाना चाहिए।

अतः, अब, उक्त अधिनियम का धारा 6 की उपधारा (1) में पदवत् अधिकारों का प्रयोग करते हुए भारत सरकार यह घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार अर्जित किया जाता है।

यह और कि केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार, केन्द्रीय सरकार में निहित होने की बजाय सभी विल्लंगमों से मुक्त होकर भारत ओमान रिफायनरीज लिमिटेड में निहित होगा।

अनुसूची

तहसील : रायगढ़	जिला : राजगढ़	राज्य : मध्य प्रदेश
गाँव का नाम	सर्वे क्रमांक	क्षेत्र
		हेक्टेयर/ अरे
(1)	(2)	(3)
खजूरिया धाटा	2 / 2	0 550
	3	0 130
	4	0 230
	9	0 110
	31	0 190
	32 / 2	0 460
	33	0 080
	34	0 130
	36 / 1	0 120
	36 / 2	0 260

(1)	(2)	(3)
सामग्री धाटा	138	0.330
	385 / 7	0 240
	400 / 1	0 300
	400 / 2	0 070
	403	0.051
	426	0 038
	427	0 210
	428	0 210
	429	0 360
	445	0.260
	446	0.320
	447	0 010
	448 / 1	0 022
	448 / 2	0 022
	449	0 025
	451	0 070
	454	0 120
	455	0.130
	462	0 041
	502 / 1	0.360
	507	0 210
	508	0 025
	509	0 060
	510	0.010
	511	0 038
	516 / 2	0 320
	519 / 2	0 025
	522 / 2	0 025
	523 / 1	0 260
	523 / 2	0 040
	524 / 1	0 051
	525 / 2	0 100
	526	0.099
	528	0 038
	530	0 010
तिसई	212	0 320
	213	0 200
	220	0.190
	221	0 130
	264	0 070
	265	0.025
	267 / 1	0 038
	267 / 2	0 250
	268 / 1	0 025
	268 / 2	0 180
	269	0 025
	270 / 1	0 230
	270 / 2 / 2	0 300
	271	0 025
	273	0 100

(1)	(2)	(3)	(1)	(2)	(3)
	274	0.140		299 / 2 / 2	0.160
	275 / 1	0.025		299 / 2 / 1 / 2	0.050
	276 / 2 / 1	0.205		299 / 3 / 2	0.144
	276 / 3 / 1	0.010		299 / 4	0.210
	276 / 3 / 2	0.007		300 / 1	0.090
बारोल	8	0.051		300 / 2	0.062
	9	0.110		301	0.020
	10 / 2	0.010		323	0.010
	14	0.350		324	0.084
	15 / 1 / 1	0.190		325 / 1	0.020
	18	0.200		326	0.010
	19	0.170		327 / 1	0.190
	20	0.050		327 / 2	0.126
	35 / 1	0.060		328/1 / 4	0.033
	36	0.041		337/2	0.030
	37 / 2	0.051		340	0.140
	39	0.080		341 / 1	0.025
	40	0.340		343 / 1	0.190
	41	0.063		344	0.025
	43 / 2	0.025		345 / 2	0.010
	46	0.146		351 / 1	0.227
	53 / 1	0.200		352 / 1	0.040
	54	0.051		353	0.130
	59 / 1	0.120		354 / 2	0.100
	59 / 2	0.110		355 / 2	0.040
	61 / 1 }	0.230		407 / 2	0.060
	61 / 2 }			412	0.025
	65 / 1 }	0.041		413	0.260
	65 / 2 }			451 / 1 / 1	0.220
	67	0.041	निपानियातुला	455	0.060
	68 / 1	0.070		456 / 2	0.227
	77	0.025		457	0.229
	78	0.420		458	0.030
	79 / 1	0.090		459	0.214
	79 / 2	0.300		462	0.256
	80	0.690		465	0.068
	82 / 2	0.400		466	0.010
	87	0.010		467	0.560
खेच्चा खेड़ी	2 / 1	0.040		619	0.133
पठारी	282	0.140		620	0.187
	283 / 7	0.260		659 / 1 / 1	0.010
	286 / 1 / 1	0.010		660	0.267
	287 / 1	0.240		661 / 1	0.378
	287 / 2	0.190		667	0.220
	288	0.160		668	0.122
	289	0.340		669	0.500
	290	0.010		671	0.176
	291	0.190		672	0.040
	292 / 1	0.300			
	292 / 2	0.040			
	297 / 2 / 2	0.340			
	298	0.050			

(1)	(2)	(3)	(1)	(2)	(3)
	674	0.031		525 / 1	0.140
	733	0.130		736 / 2	0.040
	785	0.020		737 / 1	0.160
	788	0.010		737 / 2	0.190
	789	0.050		740	0.090
	790	0.152		741 / 1	0.180
	791	0.062		742 / 2	0.190
	794	0.032		743 / 1	0.020
	807 / 1	0.360		744	0.255
	807 / 2	0.350		745 / 2	0.210
	807 / 3	0.220		746 / 2	0.020
	808	0.126		782	0.060
	809 / 1	0.080		786	0.060
	810 / 1	0.042		787 / 1	0.140
	811	0.100		787 / 2	0.200
	165 / 1 / 2	0.250		792	0.050
	290 / 3	0.100		793	0.080
	291 / 1	0.050		794	0.215
	292	0.320		795	0.330
	293 / 1 / 3	0.200		797 / 1	0.020
	293 / 1 / 4	0.200		799	0.010
	293 / 1 / 6	0.200		800 / 1	0.340
	293 / 1 / 7	0.060		800 / 2	0.240
	298	0.070		801	0.045
	299	0.055		802	0.070
	300	0.063		803	0.010
	301 / 1 / 1	0.090		816	0.012
	301 / 2	0.140		817 / 2	0.020
	303	0.020	भ्याना	3	0.320
	304	0.050		4	0.090
	305 / 4	0.060		7 / 1	0.210
	305 / 6	0.031		267	0.060
	394 / 2	0.010		281 / 2	0.680
	401 / 1	0.250		281 / 3	0.470
	401 / 2 / 2	0.360		283	0.015
	477	0.120		284	0.010
	480	0.010		285 / 1 / 1	0.045
	481	0.045		285 / 1 / 2	0.250
	483	0.380		286	0.195
	495	0.010		293 / 331 / 1 / 8	0.040
	500	0.220		293 / 331 / 1 / 9	0.130
	501 / 2	0.010		293 / 331 / 1 / 10	0.090
	502	0.200		293 / 331 / 1 / 11	0.320
	503	0.040		331 / 7	0.360
	505	0.080		331 / 8	0.700
	506 / 1	0.240		342	0.020
	506 / 2	0.140		343 / 1	0.150
	522	0.030	सेमलीलांडा	530	0.014
	523 / 1 / 1	0.070		533 / 1	0.240

(1)	(2)	(3)	(1)	(2)	(3)
	533 / 1 / 3 / 2	0.110		1262	0.040
	533 / 2 / 1	0.420		1264 }	0.250
	533 / 2 / 2	0.110		1265 }	
	535	0.020		1266	0.260
	537/1	0.430		1268 / 1	0.300
	538	0.070		1268 / 2	0.280
	543	0.010		1269	0.280
	545	0.292		1272	0.170
	546 / 2	0.330		1273 / 1 }	0.090
	678 / 1	0.090		1274 }	
	678 / 2	0.360		1273 / 2	0.170
	678 / 3	0.360		1276	0.120
	679 / 1	0.010		1278	0.014
	680 / 1	0.125		1279	0.010
	680 / 2	0.127		1283	0.290
	681 / 1	0.252		1284	0.160
	682	0.010		1285	0.070
संभावता	768	0.160		1302 / 2	0.110
	769 }	0.380		1302 / 3	0.120
	802 / 2 }		बखड़ा सुरम	214 / 1 / 1	0.010
	772 }	0.350		214 / 1 / 2	0.040
	773 }			214 / 1 / 3	0.110
	782	0.051		215	0.520
	802 / 1 P	0.190		264	0.115
	802 / 1 P	0.140		265 / 1	0.103
	831 / 5	0.150		265 / 2	0.190
	831 / 8	0.350		267	0.136
	837	0.020		269 / 1	0.270
	839 }	0.260		269 / 2 / 1 }	0.110
	840 }			269 / 2 / 2 }	
	853	0.100		293 / 2	0.010
	854 / 2	0.260		294 / 4	0.080
	857	0.110		296	0.160
	872	0.210		297	0.030
	873	0.200		307 / 2	0.088
	874 / 1	0.038		308 / 2	0.365
	875 }	0.440		308 / 3	0.110
	876 }			311	0.214
	878 / 1 }			312	0.130
	878 / 2 }	0.160		313 / 1 / 2	0.060
	879 / 2 }			313 / 2	0.120
	880	0.010		334 / 1	0.060
	883	0.041		334 / 2	0.210
	884	0.100		334 / 3	0.160
	885 / 1	0.170		335	0.123
	886 }	0.340		343 / 1	0.030
	887 }			343 / 2	0.270
	892	0.090		346	0.400
	1202	0.020		347 / 2	0.020
	1216	0.650		347 / 3	0.290
	1217	0.040			
	1218	0.330			
	1219	0.250			
	1220	0.010			

[सं. आर-31015/26/97-ओआर. II]

के. सी. कटोच, अवर सचिव

New Delhi, the 18th May, 1998

S.O. 991 :- Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas, No.S.O. 2675, dated 10th October, 1997, issued under sub section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Rights of User in land) Act, 1962 (50 of 1962), (herein after referred to as the said Act), the Central Government declared its intention to acquire the right of user in the lands specified in Schedule appended to the notification for the purpose of laying pipeline for the transport of petroleum from Vadinar in the State of Gujarat to Bina in the State of Madhya Pradesh;

And whereas, the copies of the said Gazette notification were made available to the public from 29th October, 1997;

And whereas, the Competent Authority in pursuance of sub-section (1) of section 6 of the said Act has made his report to the Central Government;

And whereas, the central Government after considering the said report is satisfied that the right of user in the land specified in the Schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 6 of the said Act, the Central Government declares that the right of user in lands specified in the Schedule appended to this notification are hereby acquired;

And further in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said lands shall instead of vesting in the Central Government, vest free from all encumbrances, in Bharat Oman Refineries Limited.

Schedule

Tehsil : Sarangpur Dist: Rajgarh State : Madhya Pradesh

Name of Village	Survey No.	Area Hectare/Arc
(1)	(2)	(3)
Khajuriya ghata	2 / 2	0.550
	3	0.130
	4	0.230
	9	0.110

(1)	(2)	(3)
	31	0.190
	32 / 2	0.460
	33	0.080
	34	0.130
	36 / 1	0.120
	36 / 2	0.260
Samgi ghata	138	0.330
	385 / 7	0.240
	400 / 1	0.300
	400 / 2	0.070
	403	0.051
	426	0.038
	427	0.210
	428	0.210
	429	0.360
	445	0.260
	446	0.320
	447	0.010
	448 / 1	0.022
	448 / 2	0.022
	449	0.025
	451	0.070
	454	0.120
	455	0.130
	462	0.041
	502 / 1	0.360
	507	0.210
	508	0.025
	509	0.060
	510	0.010
	511	0.038
	516 / 2	0.320
	519 / 2	0.025
	522 / 2	0.025
	523 / 1	0.260
	523 / 2	0.040
	524 / 1	0.051
	525 / 2	0.100
	526	0.099
	528	0.038
	530	0.010
Tesai	212	0.320
	213	0.200
	220	0.190
	221	0.130
	264	0.070
	265	0.025
	267 / 1	0.038
	267 / 2	0.250
	268 / 1	0.025
	268 / 2	0.180
	269	0.025
	270 / 1	0.230

(1)	(2)	(3)	(1)	(2)	(3)
Barol	270 / 2 / 2	0 300		299 / 2 / 2	0 160
	271	0 025		299 / 2 / 1 / 2	0 050
	273	0 100		299 / 3 / 2	0 144
	274	0 140		299 / 4	0 210
	275 / 1	0 025		300 / 1	0 090
	276 / 2 / 1	0 205		300 / 2	0 062
	276 / 3 / 1	0 010		301	0 020
	276 / 3 / 2	0 007		323	0 010
	8	0 051		324	0 084
	9	0 110		325 / 1	0 020
	10 / 2	0 010		326	0 010
	14	0 350		327 / 1	0 190
	15 / 1 / 1	0 190		327 / 2	0 126
	18	0 200		328 / 1 / 4	0 033
	19	0 170		337 / 2	0 030
	20	0 050		340	0 140
	35 / 1	0 060		341 / 1	0 025
	36	0 041		343 / 1	0 190
	37 / 2	0 051		344	0 025
	39	0 080		345 / 2	0 010
	40	0 340		351 / 1	0 227
	41	0 063		352 / 1	0 040
	43 / 2	0 025		353	0 130
	46	0 146		354 / 2	0 100
	53 / 1	0 200		355 / 2	0 040
	54	0 051		407 / 2	0 060
	59 / 1	0 120		412	0 025
	59 / 2	0 110		413	0 260
	61 / 1 }	0 230	Nipamiyatula	451 / 1 / 1	0 220
	61 / 2 }			455	0 060
	65 / 1 }	0 041		456 / 2	0 227
	65 / 2 }			457	0 229
	67	0 041		458	0 030
	68 / 1	0 070		459	0 214
	77	0 025		462	0 256
	78	0 420		465	0 068
	79 / 1	0 090		466	0 010
	79 / 2	0 300		467	0 560
Khercha kheda Pathari	80	0 690		619	0 133
	82 / 2	0 400		620	0 187
	87	0 010		659 / 1 / 1	0 010
	2 / 1	0 040		660	0 267
	282	0 140		661 / 1	0 378
	283 / 7	0 260		667	0 220
	286 / 1 / 1	0 010		668	0 122
	287 / 1	0 240		669	0 500
	287 / 2	0 190		671	0 176
	288	0 160		672	0 040
	289	0 340		674	0 031
	290	0 010		733	0 130
	291	0 190		785	0 020
	292 / 1	0 300			
	292 / 2	0 040			
	297 / 2 / 2	0 340			
	298	0 050			

(1)	(2)	(3)	(1)	(2)	(3)
	788	0.010		742 / 2	0.190
	789	0.050		743 / 1	0.020
	790	0.152		744	0.255
	791	0.062		745 / 2	0.210
	794	0.032		746 / 2	0.020
	807 / 1	0.360		782	0.060
	807 / 2	0.350		786	0.060
	807 / 3	0.220		787 / 1	0.140
	808	0.126		787 / 2	0.200
	809 / 1	0.080		792	0.050
	810 / 1	0.042		793	0.080
	811	0.100		794	0.215
Daidala	165 / 1 / 2	0.250		795	0.330
	290 / 3	0.100		797 / 1	0.020
	291 / 1	0.050		799	0.010
	292	0.320		800 / 1	0.340
	293 / 1 / 3	0.200		800 / 2	0.240
	293 / 1 / 4	0.200		801	0.045
	293 / 1 / 6	0.200		802	0.070
	293 / 1 / 7	0.060		803	0.010
	298	0.070		816	0.012
	299	0.055		817 / 2	0.020
	300	0.063	Bhyana	3	0.320
	301 / 1 / 1	0.090		4	0.090
	301 / 2	0.140		7 / 1	0.210
	303	0.020		267	0.060
	304	0.050		281 / 2	0.680
	305 / 4	0.060		281 / 3	0.470
	305 / 6	0.031		283	0.015
	394 / 2	0.010		284	0.010
	401 / 1	0.250		285 / 1 / 1	0.045
	401 / 2 / 2	0.360		285 / 1 / 2	0.250
	477	0.120		286	0.195
	480	0.010		293 / 331 / 1 / 8	0.040
	481	0.045		293 / 331 / 1 / 9	0.130
	483	0.380		293 / 331 / 1 / 10	0.090
	495	0.010		293 / 331 / 1 / 11	0.320
	500	0.220	Semlitoda	331 / 7	0.360
	501 / 2	0.010		331 / 8	0.700
	502	0.200		342	0.020
	503	0.040		343 / 1	0.150
	505	0.080		530	0.014
	506 / 1	0.240		533 / 1	0.240
	506 / 2	0.140		533 / 1 / 3 / 2	0.110
	522	0.030		533 / 2 / 1	0.420
	523 / 1 / 1	0.070		533 / 2 / 2	0.110
	525 / 1	0.140		535	0.020
	736 / 2	0.040		537 / 1	0.430
	737 / 1	0.160		538	0.070
	737 / 2	0.190		543	0.010
	740	0.090		545	0.292
	741 / 1	0.180		546 / 2	0.330

(1)	(2)	(3)	(1)	(2)	(3)
	678 / 1	0.090		1268 / 2	0.280
	678 / 2	0.360		1269	0.280
	678 / 3	0.360		1272	0.170
	679 / 1	0.010		1273 / 1	0.090
	680 / 1	0.125		1274	
	680 / 2	0.127		1273 / 2	0.170
	681 / 1	0.252		1276	0.120
	682	0.010		1278	0.014
Sandavata	768	0.160		1279	0.010
	769 }	0.380		1283	0.290
	802 / 2 }			1284	0.160
	772 }	0.350		1285	0.070
	773 }			1302 / 2	0.110
	782	0.051		1302 / 3	0.120
	802 / 1 P	0.190	Barkheda Khurram	214 / 1 / 1	0.010
	802 / 1 P	0.140		214 / 1 / 2	0.040
	831 / 5	0.150		214 / 1 / 3	0.110
	831 / 8	0.350		215	0.520
	837	0.020		264	0.115
	839 }	0.260		265 / 1	0.103
	840 }			265 / 2	0.190
	853	0.100		267	0.136
	854 / 2	0.260		269 / 1	0.270
	857	0.110		269 / 2 / 1	0.110
	872	0.210		269 / 2 / 2	
	873	0.200		293 / 2	0.010
	874 / 1	0.038		294 / 4	0.080
	875 }	0.440		296	0.160
	876 }			297	0.030
	878 / 1 }			307 / 2	0.088
	878 / 2 }	0.160		308 / 2	0.365
	879 / 2 }			308 / 3	0.110
	880	0.010		311	0.214
	883	0.041		312	0.130
	884	0.100		313 / 1 / 2	0.060
	885 / 1	0.170		313 / 2	0.120
	886 }	0.340		334 / 1	0.060
	887 }			334 / 2	0.210
	892	0.090		334 / 3	0.160
	1202	0.020		335	0.123
	1216	0.650		343 / 1	0.030
	1217	0.040		343 / 2	0.270
	1218	0.330		346	0.400
	1219	0.250		347 / 2	0.020
	1220	0.010		347 / 3	0.290
	1262	0.040			
	1264 }	0.250			
	1265 }				
	1266	0.260			
	1268 / 1	0.300			

[No. R-31015/26/97-OR II]

K. C. Katoch, Under Secy

नई दिल्ली, 18 मई, 1998

का. आ. 992 .- केन्द्रीय सरकार ने, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1952 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 1095, तारीख 27 मार्च, 1997 द्वारा पेट्रोलियम के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजनार्थ उक्त अधिसूचना से संलग्न अनुसूची में बिनिर्दिष्ट भूमि में उपयोग के अधिकारों के अर्जन के अपने आशय की घोषणा की थी;

और उक्त राजपत्रित अधिसूचना की प्रतियां जनता को तारीख 26 अप्रैल, 1997 को उपलब्ध करा दी गई थी;

और उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में सक्षम प्राधिकारी ने केन्द्रीय सरकार को रिपोर्ट दे दी है;

और केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में बिनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाना चाहिए ;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इस अधिसूचना से संलग्न अनुसूची में बिनिर्दिष्ट भूमि में उपयोग के अधिकार अर्जित करने की घोषणा करती है;

यह और कि केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार, केन्द्रीय सरकार में निहित होने की बजाए सभी विल्लगनों से मुक्त होकर भारत ओमान रिफाईनरीज़ लिमिटेड में निहित होगा।

अनुसूची				
तालुका: जामनगर		जिला: जामनगर	राज्य: गुजरात	
गांव का नाम	सर्वेक्षण सं./ खंड सं.	क्षेत्र		
(1)	(2)	हेक्टर	आरे	सेन्टीआरे
लाखाबावल	132 पैकी	0	41	51
	132 पैकी	0	09	94
	129 पैकी	0	93	92
	129 पैकी	0	88	61
	131 प्लोट 49	0	05	00
	131 प्लोट 48	0	03	75
	130	0	27	09
	128	0	09	90
	142 प्लोट 36	0	02	34
	142 प्लोट 25	0	02	71
	142 प्लोट 24	0	03	00
	142 प्लोट 13	0	03	23
	142 प्लोट 12	0	01	38
	142 प्लोट 1	0	02	11
	141 प्लोट 51	0	01	11
	141 प्लोट 52	0	01	56
	141 प्लोट 56	0	00	10
	141 प्लोट 58	0	00	10
	141 प्लोट 57	0	00	06
	143	0	12	58
	150 पैकी प्लोट 1	0	03	00
	146 पैकी प्लोट 5	0	03	00
	146 पैकी प्लोट 6	0	05	16
	146 पैकी प्लोट 1	0	03	03
	146 पैकी प्लोट 2	0	00	09
	146 पैकी प्लोट 3 (अ)	0	00	06
	146 पैकी प्लोट 4 (अ)	0	00	83
	146 पैकी प्लोट 2 (अ)	0	04	48
	146 पैकी प्लोट 1 (अ)	0	03	03
	168	0	02	10

(1)	(2)	(3)	(4)	(5)
	172	0	07	50
	213/1 प्लोट 1	0	06	64
	213/1 प्लोट 2	0	01	04
	213/1 प्लोट 3	0	02	17
	213/1 प्लोट 4	0	05	96
	213/1 प्लोट 9	0	05	30
	213/1 प्लोट 10	0	02	76
	213/1 प्लोट 11	0	03	54
	213/1 प्लोट 12	0	04	46
	213/1 प्लोट 15	0	03	78
	213/1 प्लोट 16	0	04	23
	213/1-214 पैकी प्लोट 17	0	05	50
	213/1-214 पैकी प्लोट 18	0	02	55
	214 पैकी प्लोट 21	0	01	93
	214 पैकी प्लोट 22	0	06	11
	214 पैकी प्लोट 23	0	07	42
	214 पैकी प्लोट 24	0	01	14
	214 पैकी प्लोट 25	0	08	05
	226 प्लोट 6	0	05	15
	226 प्लोट 5	0	07	04
	226 प्लोट 4	0	07	14
	226 प्लोट 3	0	06	40
	226 प्लोट 2	0	08	43
	226 प्लोट 1	0	07	16
	241 पैकी	0	13	95
	240	0	24	88
	238-246 प्लोट 3	0	04	05
	238-246 प्लोट 4	0	12	59
	238-246 प्लोट 5	0	07	17

New Delhi, the 18th May, 1998

S.O. 992. Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas No. S O 1095 dated the 27th March 1997, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipeline for the transport of petroleum;

And whereas, the copies of the said gazette notification were made available to the public on the 26th day of April, 1997;

And whereas, the competent authority in pursuance of sub-section (1) of section 6 of the said Act has made his report to the Central Government;

And whereas, the Central Government after considering the said report is satisfied that the right of user in the lands specified in the Schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification are hereby acquired;

And further in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said lands shall instead of vesting in the Central Government, vest, free from all encumbrances, in the Bharat Oman Refineries Limited,

[फा. सं. आर- 31015/28/96--ओआर. II]

के. सी. कटोच, अवर सचिव

Taluka . Jamnagar		Schedule District : Jamnagar		State : Gujarat	
Name of Village	Survey/Block No. No.	Area			
		Hectare	Are	Centare	
(1)	(2)	(3)	(4)	(5)	
Lakhabaval	132 Paiki	0	41	51	
	132 Paiki	0	09	94	
	129 Paiki	0	93	92	
	129 Paiki	0	88	61	
	131 Plot 49	0	05	00	
	131 Plot 48	0	03	75	
	130	0	27	09	
	128	0	09	90	
	142 Plot 36	0	02	34	
	142 Plot 25	0	02	71	
	142 Plot 24	0	03	00	
	142 Plot 13	0	03	23	
	142 Plot 12	0	01	28	
	142 Plot 1	0	02	14	
	141 Plot 51	0	01	11	
	141 Plot 52	0	01	36	
	141 Plot 56	0	00	10	
	141 Plot 58	0	00	10	
	141 Plot 57	0	02	00	
	143	0	42	45	
	150 Paiki Plot 1	0	03	37	
	146 Paiki Plot 5	0	03	94	
	146 Paiki Plot 6	0	05	16	
	146 Paiki Plot 1	0	03	23	
	146 Paiki Plot 2	0	00	39	
	146 Paiki Plot 3(A)	0	09	06	
	146 Paiki Plot 4(A)	0	00	83	
	146 Paiki Plot 2(A)	0	04	48	
	146 Paiki Plot 1(A)	0	03	23	
	168	0	92	10	
	172	0	07	50	
	213/1 Plot 1	0	06	61	
	213/1 Plot 2	0	01	04	
	213/1 Plot 3	0	02	17	
	213/1 Plot 4	0	05	96	
	213/1 Plot 9	0	05	30	
	213/1 Plot 10	0	02	76	

(1)	(2)	(3)	(4)	(5)
	213/1 Plot 11	0	03	54
	213/1 Plot 12	0	04	46
	213/1 Plot 15	0	03	78
	213/1 Plot 16	0	04	23
	213/1-214Paiki Plot 17	0	05	50
	213/1-214Paiki Plot 18	0	02	55
	214 Paiki Plot 21	0	01	93
	214 Paiki Plot 22	0	06	11
	214 Paiki Plot 23	0	07	42
	214 Paiki Plot 24	0	01	14
	214 Paiki Plot 25	0	08	05
	226 Plot 6	0	05	15
	226 Plot 5	0	07	04
	226 Plot 4	0	07	14
	226 Plot 3	0	06	40
	226 Plot 2	0	08	43
	226 Plot 1	0	07	16
	241 Paiki	0	13	95
	240	0	24	88
	238-246 Plot 3	0	04	05
	238-246 Plot 4	0	12	59
	238-246 Plot 5	0	07	17

[File No. R-31015/28/96-OR.II]

K. C. Katoch, Under Secy

नई दिल्ली, 18 मई, 1998

का. आ. 993 :- केन्द्रीय सरकार ने, पेट्रोलियम और खनिज पाईप-लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन, जारी की गई भारत सरकार के पेट्रोलियम और प्रकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 2753, तारीख 16 अक्टूबर 1997 द्वारा पेट्रोलियम के परिवहन के लिए गुजरात राज्य में वाडीनार से मध्य प्रदेश राज्य में बीना तक पाइप लाइन बिछाने के प्रयोजनार्थ उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार के अर्जन के अपने आशय की घोषणा की थी ;

और उक्त राजपत्रित अधिसूचना की प्रतियाँ जनता को तारीख 03 नवम्बर 1997 को उपलब्ध करा दी गई थी ;

और उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में सक्षम प्राधिकारी ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ;

और केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार अर्जित किया जाना चाहिए ।

अतः, अब, उक्त अधिनियम का धारा 6 की उपधारा (1) में प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार यह घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार अर्जित किया जाता है ।

यह और कि केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार, केन्द्रीय सरकार में निहित होने की बजाय सभी विल्लंगमों से मुक्त होकर भारत ओमान रिफायनरीज लिमिटेड में निहित होगा ।

अनुसूची

तहसील : राजगढ़	जिला : राजगढ़	राज्य : मध्य प्रदेश
गाँव का नाम	सर्वे क्रमांक	क्षेत्रफल हेक्टेयर/आरे
(1)	(2)	(3)
रसूलपुरा	7 / 3 / 1	0.280
	7 / 3 / 2	0.280
	9	0.306
	10	0.080
	12 / 1	0.010
	13	0.408
	15 / 1	0.408
	15 / 2	0.120
	17	0.294
	18	0.255
	19	0.070
	33	0.100

(1)	(2)	(3)
	34	0.557
	35	0.037
	36	0.010
	39 / 1	0.020
	39 / 2	0.010
	40	0.350
	41	0.036
	42 / 1	0.528
	94	0.200
	96 / 1	0.180
	175 / 1	0.080
	175 / 2	0.010
	177	0.310
	178 / 1	0.230
	178 / 2	0.020
	179 / 1	0.160
	179 / 2	0.040
	181	0.010
	192	0.112
	224	0.260
	227	0.051
	228	0.120
	229	0.180
	230	0.230
	231	0.300
	248	0.140
	251	0.160
	254	0.054
	256	0.140
	257	0.250
	374 / 1	0.180
	374 / 2	0.060
	374 / 4	0.060
	375	0.180
	376	0.010
	377	0.110
	378	0.150
	379	0.460
	380	0.160
	385	0.220
	390	0.100
	391	0.038
	392	0.110
	399	0.030
	402	0.450
	403 / 1 / 1	0.090
	403 / 1 / 2	0.100
	403 / 2	0.010
	404 / 1	0.012
	404 / 2	0.013
	405	0.052
	407	0.246
	408 / 2	0.010
	413	0.020

कलपोनी

(1)	(2)	(3)	(1)	(2)	(3)
	438	0.340		809	0.083
	439	0.330		810	0.235
	567	0.061		811	0.040
	568	0.013		875	0.360
	573	0.100		876	0.010
	694	0.310		877	0.320
	695 / 1	0.150		880	0.021
	695 / 2			881	0.115
	695 / 3			882	0.115
	695 / 4			884	0.120
	697	0.068		1019	0.010
	698	0.180		1020	0.030
	707 / 1	0.010		1021	0.021
	708	0.245		1023	0.030
	709 / 1	0.073		1038	0.010
	740	0.030		1039	0.094
	743	0.170		1040 / 1	0.088
	747 / 1	0.370		1041	0.010
	747 / 2	0.320		1049	0.020
	748	0.010		1051	0.030
पाडनिया खेड़ी	18	0.060		1052	0.236
	20	0.084		1053	0.136
	21	0.067		1054	0.044
	38	0.010		1062	0.030
	39	0.170		1069	0.010
	47 / 2	0.121		1070	0.060
	48 / 1	0.050		1071	0.060
	48 / 2			1072	0.060
	48 / 3	0.130		1073	0.060
	48 / 4	0.103		1074 / 1-2-3	0.060
	49	0.540		1075	0.145
	50	0.010		1078 / 1	0.070
	51	0.127		1079	0.060
	52	0.336		1080	0.060
	58 / 1	0.010		1081 / 1	0.020
	59 / 1	0.050		1081 / 2	0.020
	59 / 2	0.430		1081 / 3	0.020
	62 / 2	0.030		1081 / 4	0.020
	370	0.010		1098	0.031
	373 / 1	0.110		1099 / 1	0.040
	796	0.067		1099 / 2	0.035
	797 / 1	0.100		1100	0.010
	797 / 2	0.060		1101 / 2	0.140
	798	0.010		1101 / 3	0.080
चौसाला	493	0.010		1101 / 4	0.080
	774	0.440		1103	0.057
	776	0.162		1129 / 4	0.114
	776 / 1204	0.110		1130	0.020
	781	0.250		1131	0.091
	782	0.152		1132	0.120
	783	0.280		1133	0.100
	784	0.250			
	786	0.272			

(1)	(2)	(3)	(1)	(2)	(3)
	1134	0.070		706	0.200
	1135	0.010		731	0.040
	1138	0.130		732 / 2	0.020
	1140	0.110		732 / 3	0.050
	1141	0.180		734 / 2	0.256
	1142	0.021		736 / 1	0.160
	1149	0.200		736 / 3	0.280
	1150	0.010		736 / 4	0.030
तुमडिया खेड़ी	6	0.290		755	0.030
	12	0.020		758	0.030
	13	0.120		762	0.140
	14	0.088		763 / 1	0.095
	15 / 1	0.420		763 / 2	0.050
	15 / 2	0.085		764	0.042
	16	0.078		765 / 1	0.026
	20	0.220		765 / 2	0.034
	22	0.110		767 / 1	0.040
	23	0.040		768	0.130
	34	0.030		769	0.020
	35	0.194		771	0.013
	37	0.160		772 / 1	0.010
	38	0.330		778	0.082
	39 / 1	0.200		800	0.010
	40	0.035		801 / 1	0.200
	50 / 1	0.160		801 / 2	0.270
	50 / 2	0.300		824	0.170
	53	0.450		825	0.310
	54	0.210	गोरखपुरा	65	0.024
	56	0.030		67	0.062
खजूरी	161	0.430		68	0.165
	162 / 3	0.040		69	0.150
	361 / 860	0.160		70	0.075
	361	0.060		86	0.062
	340	0.051		87	0.320
	342 / 1	0.380		88	0.020
	344	0.390		89	0.201
	345	0.145		90	0.040
	347 / 1	0.110		91	0.024
	348	0.310		92 / 1	0.010
	349	0.160		107	0.160
	351 / 1	0.030		108	0.010
	351 / 2	0.320		111	0.230
	360	0.100		112	0.250
	384	0.070		113	0.030
	385	0.300		116	0.060
	389	0.030		181	0.010
	390	0.400		182	0.320
	392	0.052		183	0.060
	697	0.372		185	0.690
	698	0.147		186	0.105
	699	0.225		187	0.023
	705	0.430		190 / 2	0.040

(1)	(2)	(3)	(1)	(2)	(3)
	201	0.360		492	0.030
	202	0.010		494	0.588
	224	0.011		495	0.275
	225	0.378		496	0.070
	226	0.010		498	0.011
	232	0.267		577 / 1	0.042
	233 / 1	0.282	किशनपुरिया	29 / 2	0.010
	233 / 2	0.010		31	0.400
	235	0.032		32 / 1 / 2	0.051
	236	0.129		33	0.210
	237	0.087		34	0.013
	238	0.100		36 / 1	0.030
	289	0.045		36 / 2	0.160
	307	0.320		37 / 1	0.030
	322	0.010		37 / 2	0.280
	326	0.304		38	0.010
	327	0.040		67 / 1	0.169
	329	0.030		67 / 2	0.030
	340	0.010		68 / 1	0.113
	342	0.373		76	0.025
	349	0.031		77	0.253
	361	0.100		80	0.010
	362 / 1	0.020		124 / 2	0.020
	362 / 2	0.020		124 / 3	0.150
	363	0.025		126	0.041
	364	0.030		127 / 1	0.100
	367	0.064		127 / 2	0.130
	368	0.017		134	0.087
	369	0.031		135	0.151
	372	0.010		136	0.064
	373	0.010		137	0.099
	374	0.060		138 / 1	0.340
	375	0.060		138 / 2	0.200
	376	0.080		146	0.157
	377	0.030		147	0.051
	379	0.010		148	0.112
	396	0.030		149	0.087
	397 / 1	0.120		150	0.013
	469	0.188		151	0.038
	470	0.115		152	0.025
	471	0.210		153	0.099
	472	0.137		160 / 1	0.253
	473	0.160		160 / 2	0.253
	475	0.241		194 / 2	0.440
	476 / 1	0.395		194 / 3	0.150
	476 / 2	0.110	कुण्डने	522 / 1	0.620
	478	0.200		522 / 2	0.290
	481	0.066		523 / 1	0.060
	482 / 944	0.240		523 / 2	0.180
	482 / 964	0.480		523 / 3	0.230
	490	0.010		523 / 4	0.210
	491	0.240		525 / 2	0.630

(1)	(2)	(3)	(1)	(2)	(3)
	525 / 3	0.025		92	0.199
	525 / 4	0.240		94	0.280
	526 / 1	0.380		96	0.140
	526 / 3	0.038		97	0.099
लालपुरा	8 / 1	0.460		99	0.010
मोहकमपुरा	4 / 2	0.500	सांगी	5	0.038
	9 / 1 / 1	0.010		7 / 1	0.060
	9 / 1 / 2	0.260		7 / 2	0.060
	10 / 2	0.370		9	0.051
	13 / 2	0.038		10	0.350
	14 / 2	0.330		53	0.051
	17 / 1	0.200		56 / 1	0.220
	17 / 2	0.180		56 / 2	0.060
	19 / 3	0.051		59 / 1 / 1 }	0.135
रानीपुरा	4 / 2	0.130		59 / 1 / 2 }	
	6 / 3	0.580		59 / 2	0.135
	7 / 2	0.360		63	0.340
	9	0.070		64 / 1	0.210
	11	0.330		64 / 2	0.025
	13	0.038	मावलखेड़ा	15 / 1 / 2	0.040
	14	0.200		20	0.140
	19	0.070		21	0.210
	21	0.105		24	0.240
	24	0.080		25	0.460
	25	0.038		36	1.020
चैनपुरिया	14 / 1	0.051		37	0.087
	16	0.130		39	0.038
	17	0.310	जैतपुरा	1 / 1 / 2	0.200
	90	0.010		1 / 1 / 3	0.230
	91	0.170		1 / 4	0.330
	92	0.099		2 / 1	0.030
	93	0.110		2 / 2	0.010
	94	0.140		2 / 3	0.240
	95 / 2	0.010		2 / 4	0.100
	96	0.310		2 / 5	0.280
	97	0.070		3 / 3	0.038
सालपुरा	13	0.110	पिपल्याखुर्द	254 / 3	0.230
	14	0.180		255 / 1	0.100
	16	0.120		255 / 2	0.310
	20	0.110		255 / 4	0.410
	21	0.150	फिशानपुरिया खुर्द	49	0.025
	22	0.140		50	0.320
	24	0.025		51	0.076
	28	0.038		52	0.110
	50	0.035		54 / 1 / 3	0.050
	51	0.160		54 / 1 / 4	0.290
	53	0.010		54 / 1 / 7	0.700
	54	0.170		54 / 2	0.450
	87	0.070		54 / 3	0.290
	88	0.051		54 / 4	0.350
	89	0.210		54 / 5	0.140
	91	0.076		54 / 6	0.480
				54 / 11 / 1	0.100

(1)	(2)	(3)	(1)	(2)	(3)
रामपुरिया	48 / 1 / 3	0.310		649	0.067
	48 / 2	0.260		657	0.270
	48 / 3	0.280		659 / 1 / 1	0.490
	48 / 4	0.270		673 / 2	0.140
	48 / 5	0.380	धोधडिया कलां	49	0.178
	62 / 1	0.240		51	0.010
	62 / 1 / 2	0.390		52	0.345
	62 / 1 / 3	0.250		53 / 1 / 2	0.380
	62 / 3	0.390		53 / 3 क	0.460
	62 / 4	0.240		54 / 1	0.322
	398	0.190		76	0.010
	399	0.080		77	0.080
	433 / 2	0.160		79 / 3	0.200
	437 / 1	1.000		81 / 1	0.310
	437 / 2	0.420		82 / 1	0.150
	450	0.087		89	0.240
	453	0.070		90	0.020
	454	0.099		91	0.220
	455	0.230		97	0.140
	458	0.072		105	0.100
	473	0.025		116 / 1 / 2	0.290
	474	0.300		118 / 1 / 1	0.250
	477	0.038		118 / 1 / 2	0.360
	478	0.025		118 / 1 / 3	0.219
	479	0.150		118 / 1 / 4	0.312
	480	0.120		118 / 1 / 5	0.156
	477	0.025		118 / 1 / 6	0.147
	483	0.680		118 / 1 / 7	0.110
	484	0.050		118 / 1 / 8	0.132
	491	0.200	गोल्याने	219	0.880
	492	0.010		220	0.360
	494	0.025	बाजतलाई	6/6	0.200
	495	0.190	भोजपुरिया	1 / 1 }	0.350
	497	0.038		1 / 2 }	
	501 / 3	0.240		4	0.240
	501 / 4	0.040		21	0.010
	502 / 2	0.140		26 / 1	0.150
	506	0.120		26 / 2	0.080
	508	0.110		26 / 3	0.075
	516 / 2 / 1	0.172		26 / 4	0.075
	516 / 2 / 2	0.240		26 / 5	0.100
	520	0.150		27	0.160
	527	0.099		28	0.340
	528	0.060		29	0.240
	531	0.102		30	0.010
	532	0.150		70	0.420
	607	0.038		74 / 2	0.250
	622	0.350		75 / 1 / 2	0.200
	644 / 2	0.210		75 / 1 / 1	0.160
	644 / 3	0.070			
	645	0.360			
	646	0.200			

(1)	(2)	(3)	(1)	(2)	(3)
	98	0 010		358 / 2	0 140
	100	0 340		359	0 020
	102	0 360		362	0 010
	103	0 051		369 / 3	0 300
	104	0 041		369 / 4	0 240
	105	0 200		370	0 275
देवली कलां	29	0.010		371 / 2	0.030
	40	0.040		376	0.375
	134 / 3	0 070		377	0 380
	134 / 4	0 100	खेरी	370	0.010
	137	0 030		324	0 300
	138	0 085		325	0.210
	142	0 150		326	0.030
	143	0 260		327	0.080
	145	0 050		328	0 230
	150	0 140		328 / 470	0 120
	151	0 450		328 / 471	0.107
	158	0.200		330 / 1	0 315
	159 / 2	0 220		330 / 2	0 270
	162	0.050		339	0 155
	170 / 1	0.190		350	0 120
	170 / 2	0.190		351	0 190
	171 / 1	0.020		352	0 070
	171 / 2	0.130		353	0.040
	172	0.170		354	0.020
	173 / 1	0.340		367	0 020
	173 / 2	0.210		368	0 076
	253	0.140		369	0 145
	254	0.170		370	0 075
	259	0.060		371	0 080
	260	0.130		373	0 045
	261 / 1	}		374	0 045
	261 / 2			378	0.135
	261 / 3			379 / 1	0 030
	300	0 110		379 / 2	0.080
	301	0.100		404	0.185
	318	0.090	अम्ना	267	0 060
	319	0.070		299 / 1	0 080
	319 / 516	0.080		300	0 070
	320	0.050		301	0 060
	324	0 080		303 / 1	0 070
	325	0.120		305 / 2	0 140
	352 / 2	0 020		311	0 160
	353 / 1	0.065		312	0 035
	355 / 3	0 100		313	0 030
	356	0.020		314	0 210
	357 / 1	0.045		315	0 010
	357 / 2	0.010		331	0 060

(1)	(2)	(3)	(1)	(2)	(3)
	333	0.135		295 / 1	0 230
	334 / 1	}		296	0.160
	334 / 2			341 / 3	0 060
	338	0 020		342	0 300
	339 / 2	0.200		343 / 2	0 135
	342 / 1	0.210		343 / 3	0 085
	342 / 2	0.050		344 / 1	0.180
	343	0.130		344 / 2	0.180
	347	0.070	नारदपुरिया	57 / 2	0 510
	349	0.260		126	0 350
	350 / 2	0.160		197	0 030
	356	0.390		198	0 450
	357 / 1	0.165		199 / 2	0 210
	357 / 2	0.165		207	0.210
नारयण धाटा	288 / 2	0.115		214	0 150
	336	0.470		215	0.100
	337	0.020		216 / 1	0 100
	341	0.090		216 / 2	0 165
	342	0.380		247	0.095
	343	0.140		252	0 200
	361	0.170		253 / 1	0.130
	364	0.180		253 / 2	0 100
	365	0.110		261	0 360
	366	0.240		262 / 1	0 230
सिन्दूरिया	12	0.030		262 / 2	0 330
	16 / 2	0.030		263 / 1	0 100
	20	0.140		263 / 2	0 155
	21	0.260		264 / 1	0.088
	22	0.215		264 / 2	0 087
	23	0.300		264 / 3	0 087
	29	0.030		264 / 4	0.088
	30	0.160		295	0 010
	31	0.060		296	0 050
	32	0.010		297	0 070
	33	0.160		298	0 310
	35	0.180		299	0 130
	54	0.030	कचारी	487 / 2 / 1	0 110
	135	0.970		487 / 3 / 1	0 190
	244 / 3	0.060		487 / 4	0.370
	245	0.100		499 / 2 / 1	0.270
	257 / 1	0.470		499 / 2 / 2	0.250
	258	0.460		499 / 2 / 3	0 050
	259	0.170		499 / 4	0 750
	286	0.050			
	287	0.730			
	288	0.080			
	289 / 1	0.240			
	290	0.620			

[सं. आर-31015/28/97-ओआर. II]

के. सी. कटोच, अवर सचिव

New Delhi, the 18th May, 1998

S.O. 993 :- Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas, No.S.O. 2753, dated the 16 October 1997, issued under sub section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Rights of User in Land) Act, 1962 (50 of 1962), (herein after referred to as the said Act), the Central Government declared its intention to acquire the right of user in the lands specified in Schedule appended to the notification for the purpose of laying pipeline for the transport of petroleum from Vadinar in the State of Gujarat to Bina in the State of Madhya Pradesh;

And whereas, the copies of the said Gazette notification were made available to the public on the 03 November, 1997;

And whereas, the Competent Authority in pursuance of sub-section (1) of section 6 of the said Act has made his report to the Central Government;

And whereas, the central Government after considering the said report is satisfied that the right of User in the land specified in the Schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the section 6 of the said Act, the Central Government declares that the right of user in lands specified in the Schedule appended to this notification are hereby acquired;

And further in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said lands shall instead of vesting in the Central Government, vest free from all encumbrances, in Bharat Oman Refineries Limited.

Schedule

Tehsil : Rajgarh District : Rajgarh State : Madhya Pradesh

Name of Village	Survey Nos.	Area Hectare / Arc
(1)	(2)	(3)
Rasulpura	7 / 3 / 1	0.280
	7 / 3 / 2	0.280
	9	0.306
	10	0.080

(1)	(2)	(3)
	12 / 1	0.010
	13	0.408
	15 / 1	0.408
	15 / 2	0.120
	17	0.294
	18	0.255
	19	0.070
	33	0.100
	34	0.557
	35	0.037
	36	0.010
	39 / 1	0.020
	39 / 2	0.010
	40	0.350
	41	0.036
	42 / 1	0.528
	94	0.200
	96 / 1	0.180
	175 / 1	0.080
	175 / 2	0.010
	177	0.310
	178 / 1	0.230
	178 / 2	0.020
	179 / 1	0.160
	179 / 2	0.040
	181	0.010
	192	0.112
	224	0.260
	227	0.051
	228	0.120
	229	0.180
	230	0.230
	231	0.300
	248	0.140
	251	0.160
	254	0.054
	256	0.140
	257	0.250
	374 / 1	0.180
	374 / 2	0.060
	374 / 4	0.060
	375	0.180
	376	0.010
	377	0.110
	378	0.150
	379	0.460
	380	0.160
	385	0.220
	390	0.100
	391	0.038
	392	0.110
	399	0.030
	402	0.450
	403 / 1 / 1	0.090

Kalponi

(1)	(2)	(3)	(1)	(2)	(3)
	403 / 1 / 2	0.100		774	0.440
	403 / 2	0.010		776	0.162
	404 / 1	0.012		776 / 1204	0.110
	404 / 2	0.013		781	0.250
	405	0.052		782	0.152
	407	0.246		783	0.280
	408 / 2	0.010		784	0.250
	413	0.020		786	0.272
	438	0.340		809	0.083
	439	0.330		810	0.235
	567	0.061		811	0.040
	568	0.013		875	0.360
	573	0.100		876	0.010
	694	0.310		877	0.320
	695 / 1	0.150		880	0.021
	695 / 2			881	0.115
	695 / 3			882	0.115
	695 / 4			884	0.120
	697	0.068		1019	0.010
	698	0.180		1020	0.030
	707 / 1	0.010		1021	0.021
	708	0.245		1023	0.030
	709 / 1	0.073		1038	0.010
	740	0.030		1039	0.094
	743	0.170		1040 / 1	0.088
	747 / 1	0.370		1041	0.010
	747 / 2	0.320		1049	0.020
	748	0.010		1051	0.030
Padliya Khedi	18	0.060		1052	0.236
	20	0.084		1053	0.136
	21	0.067		1054	0.044
	38	0.010		1062	0.030
	39	0.170		1069	0.010
	47 / 2	0.121		1070	0.060
	48 / 1	0.050		1071	0.060
	48 / 2			1072	0.060
	48 / 3			1073	0.060
	48 / 4			1074 / 1-2-3	0.060
	49	0.540		1075	0.145
	50	0.010		1078 / 1	0.070
	51	0.127		1079	0.060
	52	0.336		1080	0.060
	58 / 1	0.010		1081 / 1	0.020
	59 / 1	0.050		1081 / 2	0.020
	59 / 2	0.430		1081 / 3	0.020
	62 / 2	0.030		1081 / 4	0.020
	370	0.010		1098	0.031
	373 / 1	0.110		1099 / 1	0.040
	796	0.067		1099 / 2	0.035
	797 / 1	0.100		1100	0.010
	797 / 2	0.060		1101 / 2	0.140
	798	0.010		1101 / 3	0.080
Chaunsala	493	0.010			

(1)	(2)	(3)	(1)	(2)	(3)
	1101 / 4	0.080		389	0.030
	1103	0.057		390	0.400
	1129 / 4	0.114		392	0.052
	1130	0.020		697	0.372
	1131	0.091		698	0.147
	1132	0.120		699	0.225
	1133	0.100		705	0.430
	1134	0.070		706	0.200
	1135	0.010		731	0.040
	1138	0.130		732 / 2	0.020
	1140	0.110		732 / 3	0.050
	1141	0.180		734 / 2	0.256
	1142	0.021		736 / 1	0.160
	1149	0.200		736 / 3	0.280
	1150	0.010		736 / 4	0.030
Tumadiya Khedi	6	0.290		755	0.030
	12	0.020		758	0.030
	13	0.120		762	0.140
	14	0.088		763 / 1	0.095
	15 / 1	0.420		763 / 2	0.050
	15 / 2	0.085		764	0.042
	16	0.078		765 / 1	0.026
	20	0.220		765 / 2	0.034
	22	0.110		767 / 1	0.040
	23	0.040		768	0.130
	34	0.030		769	0.020
	35	0.194		771	0.013
	37	0.160		772 / 1	0.010
	38	0.330		778	0.082
	39 / 1	0.200		800	0.010
	40	0.035		801 / 1	0.200
	50 / 1	0.160		801 / 2	0.270
	50 / 2	0.300		824	0.170
	53	0.450		825	0.310
	54	0.210	Gorakh pura	65	0.024
	56	0.030		67	0.062
Khajuri	161	0.430		68	0.165
	162 / 3	0.040		69	0.150
	361 / 860	0.160		70	0.075
	361	0.060		86	0.062
	340	0.051		87	0.320
	342 / 1	0.380		88	0.020
	344	0.390		89	0.201
	345	0.145		90	0.040
	347 / 1	0.110		91	0.024
	348	0.310		92 / 1	0.010
	349	0.160		107	0.160
	351 / 1	0.030		108	0.010
	351 / 2	0.320		111	0.230
	360	0.100		112	0.250
	384	0.070		113	0.030
	385	0.300		116	0.060

(1)	(2)	(3)	(1)	(2)	(3)
	181	0.010		476 / 2	0.110
	182	0.320		478	0.200
	183	0.060		481	0.066
	185	0.690		482 / 944	0.240
	186	0.105		482 / 964	0.480
	187	0.023		490	0.010
	190 / 2	0.040		491	0.240
	201	0.360		492	0.030
	202	0.010		494	0.588
	224	0.011		495	0.275
	225	0.378		496	0.070
	226	0.010		498	0.011
	232	0.267		577 / 1	0.042
	233 / 1	0.282	Kisan Purva	29 / 2	0.010
	233 / 2	0.010		31	0.400
	235	0.032		32 / 1 / 2	0.051
	236	0.129		33	0.210
	237	0.087		34	0.013
	238	0.100		36 / 1	0.030
	289	0.045		36 / 2	0.160
	307	0.320		37 / 1	0.030
	322	0.010		37 / 2	0.280
	326	0.304		38	0.010
	327	0.040		67 / 1	0.169
	329	0.030		67 / 2	0.030
	340	0.010		68 / 1	0.113
	342	0.373		76	0.025
	349	0.031		77	0.253
	361	0.100		80	0.010
	362 / 1	0.020		124 / 2	0.020
	362 / 2	0.020		124 / 3	0.150
	363	0.025		126	0.041
	364	0.030		127 / 1	0.100
	367	0.064		127 / 2	0.130
	368	0.017		134	0.087
	369	0.031		135	0.151
	372	0.010		136	0.064
	373	0.010		137	0.099
	374	0.060		138 / 1	0.340
	375	0.060		138 / 2	0.200
	376	0.080		146	0.157
	377	0.030		147	0.051
	379	0.010		148	0.112
	396	0.030		149	0.087
	397 / 1	0.120		150	0.013
	469	0.188		151	0.038
	470	0.115		152	0.025
	471	0.210		153	0.099
	472	0.137		160 / 1	0.253
	473	0.160		160 / 2	0.253
	475	0.241		194 / 2	0.440
	476 / 1	0.395		194 / 3	0.150

(1)	(2)	(3)	(1)	(2)	(3)
Kundibe	522 / 1	0.620		51	0.160
	522 / 2	0.290		53	0.010
	523 / 1	0.060		54	0.170
	523 / 2	0.180		87	0.070
	523 / 3	0.230		88	0.051
	523 / 4	0.210		89	0.210
	525 / 2	0.630		91	0.076
	525 / 3	0.025		92	0.199
	525 / 4	0.240		94	0.280
	526 / 1	0.380		96	0.140
	526 / 3	0.038		97	0.099
Lalpura	8 / 1	0.460		99	0.010
Mohakam pur	4 / 2	0.500	Sangi	5	0.038
	9 / 1 / 1	0.010		7 / 1	0.060
	9 / 1 / 2	0.260		7 / 2	0.060
	10 / 2	0.370		9	0.051
	13 / 2	0.038		10	0.350
	14 / 2	0.330		53	0.051
	17 / 1	0.200		56 / 1	0.220
	17 / 2	0.180		56 / 2	0.060
	19 / 3	0.051		59 / 1 / 1	0.135
Rani pura	4 / 2	0.130		59 / 1 / 2	0.135
	6 / 3	0.580		59 / 2	0.135
	7 / 2	0.360		63	0.340
	9	0.070		64 / 1	0.210
	11	0.330		64 / 2	0.025
	13	0.038	Savan Kheda	15 / 1 / 2	0.040
	14	0.200		20	0.140
	19	0.070		21	0.210
	21	0.105		24	0.240
	24	0.080		25	0.460
	25	0.038		36	1.020
Chain puriya	14 / 1	0.051		37	0.087
	16	0.130		39	0.038
	17	0.310	Jait pura	1 / 1 / 2	0.200
	90	0.010		1 / 1 / 3	0.230
	91	0.170		1 / 4	0.330
	92	0.099		2 / 1	0.030
	93	0.110		2 / 2	0.010
	94	0.140		2 / 3	0.240
	95 / 2	0.010		2 / 4	0.100
	96	0.310		2 / 5	0.280
	97	0.070		3 / 3	0.038
Sal pura	13	0.110	Piplya Khurd	254 / 3	0.230
	14	0.180		255 / 1	0.100
	16	0.120		255 / 2	0.310
	20	0.110		255 / 4	0.410
	21	0.150	Kisan puriya Khurd	49	0.025
	22	0.140		50	0.320
	24	0.025		51	0.076
	28	0.038		52	0.110
	50	0.035		54 / 1 / 3	0.050

(1)	(2)	(3)	(1)	(2)	(3)
	54 / 1 / 4	0.290		531	0 102
	54 / 1 / 7	0.700		532	0 150
	54 / 2	0.450		607	0 038
	54 / 3	0.290		622	0.350
	54 / 4	0.350		644 / 2	0 210
	54 / 5	0.140		644 / 3	0 070
	54 / 6	0.480		645	0 360
	54 / 11 / 1	0.100		646	0.200
Ram puriya	48 / 1 / 3	0.310		649	0.067
	48 / 2	0.260		657	0 270
	48 / 3	0.280		659 / 1 / 1	0.490
	48 / 4	0.270		673 / 2	0.140
	48 / 5	0.380	Ghoghadiya kalan	49	0.178
	62 / 1	0.240		51	0 010
	62 / 1 / 2	0 390		52	0 345
	62 / 1 / 3	0.250		53 / 1 / 2	0 380
	62 / 3	0.390		53 / 3 ॠ	0 460
Piplabe	62 / 4	0.240		54 / 1	0.322
	398	0.190		76	0 010
	399	0.080		77	0 080
	433 / 2	0.160		79 / 3	0 200
	437 / 1	1.000		81 / 1	0 310
	437 / 2	0.420		82 / 1	0 150
	450	0.087		89	0.240
	453	0.070		90	0.020
	454	0.099		91	0.220
	455	0.230		97	0 140
	458	0 072		105	0.100
	473	0.025		116 / 1 / 2	0 290
	474	0.300		118 / 1 / 1	0.250
	477	0.038		118 / 1 / 2	0.360
	478	0.025		118 / 1 / 3	0.219
	479	0.150		118 / 1 / 4	0.312
Hiran Khedi	480	0 120		118 / 1 / 5	0 156
	477	0.025		118 / 1 / 6	0 147
	483	0.680		118 / 1 / 7	0 110
	484	0.050		118 / 1 / 8	0 132
	491	0 200	Goliabe	219	0.880
	492	0.010		220	0 360
	494	0.025		6/ 6	0 200
	495	0.190	Bajtalai	1 / 1	0 350
	497	0 038	Bhojpuriya	1 / 2	
	501 / 3	0 240		4	0.240
	501 / 4	0 040		21	0 010
	502 / 2	0.140		26 / 1	0 150
	506	0.120		26 / 2	0 080
	508	0.110		26 / 3	0 075
	516 / 2 / 1	0.172		26 / 4	0 075
	516 / 2 / 2	0.240		26 / 5	0 100
	520	0.150			
	527	0.099			
	528	0 060			

(1)	(2)	(3)	(1)	(2)	(3)
	27	0 160		325	0.120
	28	0.340		352 / 2	0.020
	29	0.240		353 / 1	0.065
	30	0.010		355 / 3	0.100
	70	0.420		356	0.020
	74 / 2	0.250		357 / 1	0.045
	75 / 1 / 2	0.200		357 / 2	0.010
	75 / 1 / 1	0.160		358 / 2	0.140
	98	0.010		359	0.020
	100	0.340		362	0.010
	102	0.360		369 / 3	0.300
	103	0.051		369 / 4	0.240
	104	0.041		370	0.275
	105	0.200		371 / 2	0.030
Dewali kalan	29	0.010		376	0.375
	40	0.040		377	0.380
	134 / 3	0.070		320	0.010
	134 / 4	0.100	Kheri	324	0.300
	137	0.030		325	0.210
	138	0.085		326	0.030
	142	0.150		327	0.080
	143	0.260		328	0.230
	145	0.050		328 / 470	0.120
	150	0.140		328 / 471	0.107
	151	0.450		330 / 1	0.315
	158	0.200		330 / 2	0.270
	159 / 2	0.220		339	0.155
	162	0.050		350	0.120
	170 / 1	0.190		351	0.190
	170 / 2	0.190		352	0.070
	171 / 1	0.020		353	0.040
	171 / 2	0.130		354	0.020
	172	0.170		367	0.020
	173 / 1	0.340		368	0.076
	173 / 2	0.210		369	0.145
	253	0.140		370	0.075
	254	0.170		371	0.080
	259	0.060		373	0.045
	260	0.130		374	0.045
	261 / 1	}		378	0.135
	261 / 2			379 / 1	0.030
	261 / 3			379 / 2	0.080
	300	0.110		404	0.185
	301	0.100		267	0.060
	318	0.090		299 / 1	0.080
	319	0.070	Amba	300	0.070
	319 / 516	0.080		301	0.060
	320	0.050			
	324	0.080			

(1)	(2)	(3)	(1)	(2)	(3)
	303 / 1	0.070		259	0.170
	305 / 2	0.140		286	0.050
	311	0.160		287	0.730
	312	0.035		288	0.080
	313	0.030		289 / 1	0.240
	314	0.210		290	0.620
	315	0.010		295 / 1	0.230
	331	0.060		296	0.160
	333	0.135		341 / 3	0.060
	334 / 1	}		342	0.300
	334 / 2			343 / 2	0.135
	338	0.020		343 / 3	0.085
	339 / 2	0.200		344 / 1	0.180
	342 / 1	0.210		344 / 2	0.180
	342 / 2	0.050	Naipuriya	57 / 2	0.510
	343	0.130		126	0.350
	347	0.070		197	0.030
	349	0.260		198	0.450
	350 / 2	0.160		199 / 2	0.210
	356	0.390		207	0.210
	357 / 1	0.165		214	0.150
	357 / 2	0.165		215	0.100
Narayan ghata	288 / 2	0.115		216 / 1	0.100
	336	0.470		216 / 2	0.165
	337	0.020		247	0.095
	341	0.090		252	0.200
	342	0.380		253 / 1	0.130
	343	0.140		253 / 2	0.100
	361	0.170		261	0.360
	364	0.180		262 / 1	0.230
	365	0.110		262 / 2	0.330
	366	0.240		263 / 1	0.100
Sinduriya	12	0.030		263 / 2	0.155
	16 / 2	0.030		264 / 1	0.088
	20	0.140		264 / 2	0.087
	21	0.260		264 / 3	0.087
	22	0.215		264 / 4	0.088
	23	0.300		295	0.010
	29	0.030		296	0.050
	30	0.160		297	0.070
	31	0.060	Kachari	298	0.310
	32	0.010		299	0.130
	33	0.160		487 / 2 / 1	0.110
	35	0.180		487 / 3 / 1	0.190
	54	0.030		487 / 4	0.370
	135	0.970		499 / 2 / 1	0.270
	244 / 3	0.060		499 / 2 / 2	0.250
	245	0.100		499 / 2 / 3	0.050
	257 / 1	0.470		499 / 4	0.750
	258	0.460			

नई दिल्ली, 18 मई, 1998

का. आ. 994 .- केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में वाडीनार से मध्य प्रदेश राज्य में बीना तक पेट्रोलियम के परिवहन के लिये भारत ओमान रीफाइनरीज लिमिटेड द्वारा पाइपलाइन बिछाई जानी चाहिये;

और ऐसी पाइपलाइन बिछाने के प्रयोजन के लिए इस अधिसूचना से उपाखण्ड अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है;

अतः, अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उनमें उपयोग का अधिकार अर्जित करने का अपना आशय घोषित करती है;

उक्त अनुसूची में वर्णित भूमि में हितबद्ध कोई व्यक्ति, राजपत्र में, यथा प्रकाशित इस अधिसूचना की प्रतियां साधारण जनता को उपलब्ध करा दिए जाने की तारीख से इक्कीस दिन के भीतर, उनमें उपयोग के अधिकार का अर्जन और भूमि में पाइपलाइन बिछाने के संबंध में आक्षेप, लिखित रूप में, श्री एस. के. ब्रह्मभट्ट, सक्षम प्राधिकारी, भारत ओमान रीफाइनरीज लिमिटेड, सेंट्रल इंडिया रीफाइनरी परियोजना, 5/6 - फोर वे काम्प्लेक्स, सतलुज होटल के पास, भुरावाव, गोधरा - 389 001, गुजरात को कर सकेगा;

अनुसूची

राज्य: गुजरात

जिला का नाम	तालुका का नाम	गांव का नाम	सर्वेक्षण सं. / खंड सं.	क्षेत्र		
				हेक्टर	आरे	सेन्टीआरे
(1)	(2)	(3)	(4)	(5)	(6)	(7)
पंचमहाल दाहोद	गोधरा	भामैया	60/1	0	13	40
		गरबाडा	177/2	0	22	40
	दाहोद	मोट्टी खरज	7 पैकी	0	15	15
		जालत	18	0	19	95
			17	0	03	95
	लिमखेडा	अगारा	118/1	0	04	30
			118/2	0	16	90
			118/14	0	10	90
			262	0	02	32
			133 पैकी 1/4	0	20	75
			134	0	27	21
			211	0	04	12
		अम्बवा	44 पैकी	0	01	60
			44 पैकी	0	17	40
	प्रतापपुरा	पटवान	7/3	0	15	20
			39	0	20	51

[फा. सं. आर-31015/33/97-ओआर. II]

के. सी. कटोच, अवसर सचिव

New Delhi, the 18th May, 1998

S.O. 994 .- Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum products from Vadinar in the State of Gujarat to Bina in the State of Madhya Pradesh, pipelines should be laid by the Bharat Oman Refineries Limited;

And whereas, that for the purpose of laying such pipelines, it is necessary to acquire the right of users in the lands described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

Any person interested in the lands described in the said Schedule may within twenty-one days from the date on which the copies of this notification, as published in the official Gazette, are made available to the general public, object in writing to the acquisition of the right of user therein or laying of the pipelines under the land, to Shri S. K. Brahmhatt, competent authority of Central India Refinery Project of Bharat Oman Refineries Limited, 5/6, Four Ways Complex, Near Satluj Hotel, Bhuravav, Godhara -389001, Gujarat.

Schedule

State : Gujarat

Name of District	Name of Taluka	Name of Village	Survey/Block No.	Area		
				Hectare	Are	Centare
(1)	(2)	(3)	(4)	(5)	(6)	(7)
Panchmahals	Godhra	Bhamaiya	60/1	0	13	40
Dahod	Garabada	Bawka	177/2	0	22	40
		Moti Kharaj	7 Paiki	0	15	15
	Dahod	Jalat	18	0	19	95
			17	0	03	95
	Limkheda	Agara	118/1	0	04	30
			118/2	0	16	90
			118/14	0	10	90
			262	0	02	32
			133 Paiki 1/4	0	20	75
			134	0	27	21
			211	0	04	12
		Ambwa	44 Paiki	0	01	60
			44 Paiki	0	17	40
		Patwan	7/3	0	15	20
		Pratappura	39	0	20	51

[File No. R-31015/35 /97-OR.II]

K. C. Katoch, Under Secy.

नई दिल्ली, 19 मई, 1998

का. आ. 995 :- केन्द्रीय सरकार ने, पेट्रोलियम और खनिज पार्श्वलाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन, जारी की गई भारत सरकार के पेट्रोलियम और प्रकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 2841, तारीख 07 नवम्बर 1997 द्वारा पेट्रोलियम के परिवहन के लिए गुजरात राज्य में बाडीनार से मध्य प्रदेश राज्य में बीना तक पाइप लाईन बिछाने के प्रयोजनार्थ उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार के अर्जन के अपने आशय की घोषणा की थी ;

और उक्त राजपत्रित अधिसूचना की प्रतियाँ जनता को तारीख 15 नवम्बर 1997 को उपलब्ध करा दी गई थी ;

और उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में सक्षम प्राधिकारी ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ;

और केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग का अधिकार अर्जित किया जाना चाहिए।

अतः, अब, उक्त अधिनियम का धारा 6 की उपधारा (1) में प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार यह घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार अर्जित किया जाता है।

यह और कि केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार, केन्द्रीय सरकार में निहित होने की बजाय सभी विस्तारगो से मुक्त होकर भारत ओमान रिफायनरीज लिमिटेड में निहित होगा।

अनुसूची

तहसील - राधोगढ़	जिला - गुना	राज्य - मध्य प्रदेश
गाँव का नाम	सर्वे क्रमांक	क्षेत्र हेक्टेयर/आरे
(1)	(2)	(3)
अगरपुरा	12	0.174
	13 / 1	0.500
	32	0.564
	33	0.418
	34 / 1	0.219
	34 / 2	0.243
	81 / 2	0.282
	81 / 4	0.167
	81 / 8	0.366
	81 / 11	0.239
	81 / 12	0.167
	83	0.177
	86 / 1	0.063
	86 / 2	0.438
	87 / 1	0.261
	87 / 2	0.105
	88 / 2	0.135
	89	0.261
	127	0.020
	134 / 3	0.251
कजलिया	139 / 3	0.020
	155	0.199
	156	0.554
	160 / 1	0.677
	162	0.199
	165	0.376
	166	0.021
	4 / 2	0.052
	8 / 1	0.175
	8 / 2क	0.175
बालाखेड़ी	9	0.031

(1)	(2)	(3)
नमखेड़ा	10	0.042
	11	0.292
	12	0.345
	14	0.010
	19	0.219
	20	0.692
	58 / 1	0.390
	58 / 2	0.318
	63	0.600
	71	0.300
	74	0.167
	75	0.540
	76	0.209
	79 / 2	0.209
	79 / 3	0.209
	80	0.840
	88 / 2	0.010
	91	0.240
	95 / 2	0.398
	105	0.125
मफसूदनगढ़	106 / 2	0.157
	115 / 1	0.073
	115 / 2	0.261
	118 / 2 / 3	0.206
	120	0.219
	128	0.260
	129 / 2	0.100
	129 / 3	0.080
	131	0.052
	133	0.200
मफसूदनगढ़	134	0.105
	143	0.031
	343	0.031
	137	0.240
	4 / 1	0.754
	4 / 2क	0.754
	10 / 2	0.350
	10 / 3	0.218
	13 / 2	0.550
	14	0.015
मफसूदनगढ़	15	0.052
	18 / 1	0.382
	20 / 1	0.225
	24	0.152
	27 / 2	0.015
	27 / 3	0.429
	33	0.429
	34 / 1क	0.010
	87 / 3	0.042
	93	0.449
मफसूदनगढ़	94	0.335
	96 / 3	0.802
	100	0.449
	151	0.073
	155	0.260
	157 / 1	0.393
	159 / 1	0.151
	159 / 2 क	0.100
	161	0.387
	454	0.031
मफसूदनगढ़	455	0.281
	456 / 2 क	0.392
	456 / 2ख	0.251
	457 / 2	0.231
मफसूदनगढ़	458	0.162

New Delhi, the 19th May, 1998

S.O. 995 :- Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas, No.S.O. 2841 dated the 07th November, 1997, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Rights of User in Land) Act, 1962 (50 of 1962), (herein after referred to as the said Act), the Central Government declared its intention to acquire the right of user in the lands specified in Schedule appended to the notification for the purpose of laying pipeline for the transport of petroleum from Vadinar in the State of Gujarat to Bina in the State of Madhya Pradesh;

And whereas, the copies of the said Gazette notification were made available to the public on 15th November, 1997;

And whereas, the Competent Authority in pursuance of sub-section (1) of section 6 of the said Act has made his report to the Central Government;

And whereas, the central Government after considering the said report is satisfied that the right of user in the land specified in the Schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government declares that the right of user in lands specified in the Schedule appended to this notification are hereby acquired;

And further in exercise of the powers conferred by sub-section (4) of section of 6 the said Act, the Central Government hereby directs that the right of user in the said lands shall instead of vesting in the Central Government, vest free from all encumbrances, in Bharat Oman Refineries Limited.

Schedule

Tehsil : Raghogarh District : Guna State : Madhya Pradesh

Name of Village	Survey Nos.	Area Hectare / Arc
(1)	(2)	(3)
Agarpura	12	0.174
	13 / 1	0.500
	32	0.564
	33	0.418
	34 / 1	0.219
	34 / 2	0.243
	81 / 2	0.282
	81 / 4	0.167
	81 / 8	0.366
	81 / 11	0.239
	81 / 12	0.167
	83	0.177
	86 / 1	0.063
	86 / 2	0.438
Kajaliva	87 / 1	0.261
	87 / 2	0.105
	88 / 2	0.135
	89	0.261
	127	0.020
	134 / 3	0.251
	139 / 3	0.020
	155	0.199
	156	0.554
	160 / 1	0.677
	162	0.199

(1)	(2)	(3)
Balukhedi	165	0.376
	166	0.021
	4 / 2	0.052
	8 / 1	0.175
	8 / 2A	0.175
	9	0.031
	10	0.042
	11	0.292
	12	0.345
	14	0.010
	19	0.219
	20	0.692
	58 / 1	0.390
	58 / 2	0.318
Nalkheda	63	0.600
	71	0.300
	74	0.167
	75	0.540
	76	0.209
	79 / 2	0.209
	79 / 3	0.209
	80	0.840
	88 / 2	0.010
	91	0.240
	95 / 2	0.398
	105	0.125
	106 / 2	0.157
	115 / 1	0.073
	115 / 2	0.261
Maksudan Garh	118 / 2 / 3	0.206
	120	0.219
	128	0.260
	129 / 2	0.100
	129 / 3	0.080
	131	0.052
	133	0.200
	134	0.105
	143	0.031
	343	0.031
	137	0.240
	4 / 1	0.754
	4 / 2A	0.754
	10 / 2	0.350
	10 / 3	0.218
	13 / 2	0.550
	14	0.015
	15	0.052
	18 / 1	0.382
	20 / 1	0.225
	24	0.152
	27 / 2	0.015
	27 / 3	0.429
	33	0.429
	34 / 1A	0.010
	87 / 3	0.042
	93	0.449
	94	0.335
	96 / 3	0.802
	100	0.449
	151	0.073
	155	0.260
	157 / 1	0.393
	159 / 1	0.151
	159 / 2A	0.100
	161	0.387
	454	0.031
	455	0.281
	456 / 2 A	0.392
	456 / 2 B	0.251
	457 / 2	0.231
	458	0.162

[No R-31015/29/9, - OR. II]

K C Katoch, Under Secy.

नई दिल्ली, 19 मई, 1998

का. आ. 996 :- केन्द्रीय सरकार ने, पेट्रोलियम और खनिज पाईपलाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन, जारी की गई भारत सरकार के पेट्रोलियम और प्रकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 2655, तारीख 06 अक्टूबर 1997 द्वारा पेट्रोलियम के परिवहन के लिए गुजरात राज्य में बाडीनार से मध्य प्रदेश राज्य में बीना तक पाइप लाईन बिछाने के प्रयोजनार्थ उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार के अर्जन के अपने आशय की घोषणा की थी ;

और उक्त राजपत्रित अधिसूचना की प्रतियाँ जनता को तारीख 23 अक्टूबर 1997 से उपलब्ध करा दी गई थी ;

और उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में सक्षम प्राधिकारी ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ;

और केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग का अधिकार अर्जित किया जाना चाहिए।

अतः, अब, उक्त अधिनियम का धारा 6 की उपधारा (1) में प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार यह घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार अर्जित किया जाता है।

यह और कि केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार, केन्द्रीय सरकार में निहित होने की बजाय सभी बिटलंगमों से मुक्त होकर भारत ओमान रिफायनरीज लिमिटेड में निहित होगा।

अनुसूची

तहसील : कुरुवाई	जिला : विदिशा	राज्य : मध्य प्रदेश
गाँव का नाम	सर्वे क्रमांक	क्षेत्र हेक्टेयर/आरे
(1)	(2)	(3)
मढी जागीर	203	0.523
	211	0.011
	212	0.408
	215 / 2	0.742
इमलिया	19 / 1	0.606
	20	
	44 / 4	0.408
	21 / 4	
	44 / 1	0.143
	21 / 3	
	44 / 3	0.324

(1)	(2)	(3)
	21 / 1	
	44 / 5	0.481
	21 / 5	0.345
	27	0.378
	28	
	29	0.449
	30	
	32	0.011
	33	
	34	0.815
	35	
	46 / 2	0.324
	48 / 2	
	50 / 4	0.439
	65	
	50 / 1	0.366
	51 / 1	0.439
	52 / 1	0.063
	52 / 2	0.324
	52 / 3	0.178
	52 / 4	0.178
	87	0.230
	88	
	90 / 2	
	91 / 3	0.094
	92 / 3	
	93	
	91 / 4	
	92 / 1	0.167
	91 / 2	
	92 / 2	0.188
	124 / 5	
	124 / 1	0.376
	124 / 4	0.470
	127	
	128 / 1	0.585
नेहपपरिया	14 / 1	0.021
	15 / 1-4	0.011
	20 / 2	
	21	0.669
	26 / 1	
	27	
	28	0.387
	31	0.230
	32	0.178
	33 / 1	0.063
	33 / 2	0.324
	34 / 1	0.115
	114	0.575
	118 / 1	
	119 / 2	0.190
	118 / 2	
	119 / 1	0.115
	120	
	121	0.251
	122	

(1)	(2)	(3)	(1)	(2)	(3)
	123 }			436/ 1	0.342
	124 }	0.251		436/2	
बरी भैरासा	37 / 1-2 }			450	
	38 / 1-2 }	0.387		480	
				481/1	
	254 / 2 }			482	0.836
	255 }	0.261		451	
	257	0.188		452	
	259 / 3	0.366		444 / 2	0.449
	261 / 1	0.491		483 / 1 / 2 }	
	299	0.387		484 / 2 / 2 }	0.052
	302 / 1 }			485	
	303 }	0.314		507 / 3	0.031
	309 मिन	0.042		486	
	309 मिन	0.105		887 / 2 }	0.700
	310	0.261	सिकन्दरपुर	33 / 1	
	312	0.178		34	
	319 / 1 क	0.042		30	0.470
	320 / 1	0.209		32	
रेवरा	170 / 2	0.105		35 / 1 }	
	170 / 3 }			36	0.115
	186 }	0.596		37 / 2 }	
	183 / 8 }			35/2	
	184 / 1 }	0.240		35/3	
	184 / 2 }			67	0.272
	184 / 3	0.575		68	
	184 / 4	0.167		69	
	185 / 1 / 2	0.281		70/1 }	
	185 / 2 }			37 / 1	0.251
	185 / 3 }	0.544		38	0.011
	196 }			39 / 1	0.235
	197/1/2			39 / 3	0.105
	198 मिन	0.413		56 }	
	199/2/3			57 }	0.063
	200/2 }			62 / 1 य 3	0.084
	199 / 1 }	मिन		82 / 1 }	
	204 / 2 }	0.449		81 / 1 }	0.126
	199/1 }	मिन		81 / 3 }	
	204/2 }	0.084		86 }	
	200 / 1 / 2 मिन	0.366		87 }	0.335
	204 / 5 }			89 / 2 }	
	212 / 5 }	0.042		90 }	0.042
	204 / 7 }		नाऊकुण्ड	33 }	
	210 / 2 }	0.493		34 / 1 }	0.303
	212 / 6 }	0.021		35 / 2 }	0.314
	211 }			43/2 }	
	212 / 7 }	0.514		46/2	
				42/6	
				43/3	0.638
टैकू	487 / 1	0.094		46/1	
	427 }			43/4 }	
	428			47 मिन	0.071
	430 / 1	0.670		47 मिन	0.071
	430 / 2 }			48	0.199
	431 }	मिन		49 / 1	0.031
	432 }			50 मिन	0.272

(1)	(2)	(3)	(1)	(2)	(3)
	50 मिन	0.052		142 / 2	0.167
	53	0.157		143	0.303
	54 मिन	0.105		147	0.314
	54 मिन	0.015		148	0.011
	55	0.523		170	0.251
	70 / 4	0.418		171 मिन	0.209
	71	0.209		173 }	
	77	0.324		174 }	0.303
	79	0.366		175	0.251
	80	0.126		180	0.084
	94	0.053		181 }	
	95	0.042		182 }	0.209
	96 }			183	0.648
	97 मिन }	0.063		184	0.076
	97 मिन }		बोधीघाट	186 / 1	0.188
	98 }			232 / 1	0.042
	99 }	0.606		232 / 2	0.753
	102 / 2 }			242 / 2	0.324
	103	0.272		244	0.031
	109 / 2	0.178		245	0.030
	109 / 1	0.575		247	0.240
	110 / 1	0.157		263	0.142
	112	0.460		264	0.523
	113 }			267	0.042
	114 / 1 / 1 }	0.021		268	0.180
मूडरी	2	0.240		275	0.220
	5 / 2	0.063		308 / 1	0.031
दांगी कुमारिया	259 / 2	0.544		313 मिन	0.209
	260	0.178		318 }	
	261 / 1	0.115		319 }	0.418
	261 / 2	0.115		320	0.240
	261 / 3	0.115		321 मिन	0.031
	261 / 4 मिन	0.115		324	0.314
	279	0.052		325	0.011
	280	0.142		327 }	
	281	0.699		328 मिन }	0.178
	283 / 1 ख }		कलीआ	328 मिन	0.209
	283 / 1 घ }	0.460		329	0.031
	283 / 1 क }			19	0.011
	283 / 1 ग }	0.178		20	0.021
लचायरा	30	0.084		21	0.139
	31 / 1 / 1	0.167		27 / 1 }	मिन
	31 / 1 / 2	0.167		27 / 2 }	0.251
	31 / 2 / 1	0.063		52 / 1 }	
	31 / 2 / 2	0.052		52 / 2 }	0.629
	31 / 2 / 3	0.011		53 ,	0.011
	35	0.439		54 मिन	0.351
	139	0.251		57	0.052
				58 / 1 }	
				58 / 2 }	0.523

[सं. आर-31015/30/97-ओआर.11]

श्री. सी. कटोच, अवर सचिव

New Delhi, the 19th May, 1998

S.O. 996 :- Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas, No S.O. 2655, dated the 06 October, 1997, issued under sub section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Rights of User in Land) Act, 1962 (50 of 1962), (herein after referred to as the said Act), the Central Government declared its intention to acquire the right of user in the lands specified in Schedule appended to the notification for the purpose of laying pipeline for the transport of petroleum from Vadinar in the State of Gujarat to Bina in the State of Madhya Pradesh,

And whereas, the copies of the said Gazette notification were made available to the public on the 23 October, 1997;

And whereas, the Competent Authority in pursuance of sub-section (1) of section 6 of the said Act has made his report to the Central Government;

And whereas, the central Government after considering the said report is satisfied that the right of user in the land specified in the Schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government declares that the right of user in lands specified in the Schedule appended to this notification are hereby acquired;

And further in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said lands shall instead of vesting in the Central Government, vest free from all encumbrances, in Bharat Oman Refineries Limited.

Schedule

Tehsil : Kurwai District : Vidisha State : Madhya Pradesh

Name of Village	Survey No.	Area Hectare / Acre
(1)	(2)	(3)
Madhi Jagir	203	0 523
	211	0.011
	212	0 408
	215 / 2	0 742
	19 / 1	0 606
Emaliya	20	} 0 408
	44 / 4	

(1)	(2)	(3)
	21 / 4	} 0.143
	44 / 1	
	21 / 3	
	44 / 3	} 0 324
	21 / 1	
	44 / 5	} 0.481
	21 / 5	
	27	} 0.378
	28	
	29	} 0.449
	30	
	32	} 0 011
	33	
	34	} 0.815
	35	
	46 / 2	} 0 324
	48 / 2	
	50 / 4	} 0 439
	65	
	50 / 1	} 0 366
	51 / 1	
	52 / 1	} 0 063
	52 / 2	
	52 / 3	} 0.178
	52 / 4	
	87	} 0.230
	88	
	90 / 2	} 0.094
	91 / 3	
	92 / 3	
	93	} 0 167
	91 / 4	
	92 / 1	
	91 / 2	} 0 188
	92 / 2	
	124 / 5	
	124 / 1	} 0.376
	124 / 4	
	127	} 0.585
	128 / 1	
Nehpipariya	14 / 1	} 0.021
	15 / 1-4	
	20 / 2	} 0 669
	21	
	26 / 1	} 0 387
	27	
	28	} 0 230
	31	
	32	} 0 178
	33 / 1	
	33 / 2	} 0 324
	34 / 1	
	114	} 0 575
	118 / 1	
	119 / 2	} 0 190

(1)	(2)	(3)	(2)	(3)
Barri Bhoransa	118 / 2 }	0.115	211 }	0.514
	119 / 1 }		212 / 7 }	
	120 }	0.251	487 / 1 }	0.094
	121 }		427 }	
	122 }	0.251	428 }	0.670
	123 }		430 / 1 }	
	124 }	0.387	430 / 2 }	0.523
	37 / 1-2 }		431 }	
	38 / 1-2 }	0.261	432 }	0.342
	254 / 2 }		436 / 1 }	
	255 }	0.188	436 / 2 }	0.836
	257 }		450 }	
	259 / 3 }	0.366	480 }	0.836
	261 / 1 }		481 / 1 }	
	299 }	0.491	482 }	0.449
	302 / 1 }		451 }	
	303 }	0.314	452 }	0.449
	309 min }		444 / 2 }	
	309 min }	0.042	483 / 1 / 2 }	0.052
	310 }		484 / 2 / 2 }	
	312 }	0.105	485 }	0.031
	319 / 1 A }		507 / 3 }	
320 / 1 }	0.261	486 }	0.700	
170 / 2 }		887 / 2 }		
170 / 3 }	0.178	33 / 1 }	0.470	
186 }		34 }		
183 / 8 }	0.042	30 }	0.470	
184 / 1 }		32 }		
184 / 2 }	0.209	35 / 1 }	0.115	
184 / 3 }		36 }		
184 / 4 }	0.105	37 / 2 }	0.115	
185 / 1 / 2 }		35 / 2 }		
185 / 2 }	0.575	35 / 3 }	0.272	
185 / 3 }		67 }		
196 }	0.167	68 }	0.272	
197 / 1 / 2 }		69 }		
198 }	0.281	70 / 1 }	0.251	
199 / 2 / 3 }		37 / 1 }		
200 / 2 }	0.251	38 }	0.011	
199 / 1 }		39 / 1 }		
204 / 2 min }	0.011	39 / 3 }	0.105	
199 / 1 }		56 }		
204 / 2 min }	0.413	57 }	0.063	
200 / 1 / 2 min }		62 / 1 and 3 }		
204 / 5 }	0.084	82 / 1 }	0.084	
212 / 5 }		81 / 1 }		
204 / 7 }	0.366	81 / 3 }	0.126	
210 / 2 }		86 }		
212 / 6 }	0.335	87 }	0.335	
		89 / 2 }		
	0.042	90 }	0.042	
		33 }		
	0.493	34 / 1 }	0.303	
		35 / 2 }		
	0.303		0.314	
	0.314		0.314	

(1)	(2)	(3)	(1)	(2)	(3)
	43/2			31 / 2 / 3	0 011
	46/2			35	0 439
	42/6			139	0.251
	43/3	0.638		142 / 2	0.167
	46/1			143	0 303
	43/4			147	0.314
	47 min	0.071		148	0.011
	47 min	0.071		170	0.251
	48	0.199		171 min	0 209
	49 / 1	0.031		173	
	50 min	0 272		174	0 303
	50 min	0.052		175	0 251
	53	0.157		180	0 084
	54 min	0 105		181	
	54 min	0.015		182	0 209
	55	0.523		183	0.648
	70 / 4	0 418		184	0 076
	71	0.209	Bothighat	186 / 1	0 188
	77	0.324		232 / 1	0.042
	79	0.366		232 / 2	0 753
	80	0.126		242 / 2	0 324
	94	0.053		244	0.031
	95	0.042		245	0.030
	96			247	0.240
	97 min	0.063		263	0 142
	97 min			264	0 523
	98			267	0.042
	99	0.606		268	0.180
	102 / 2			275	0.220
	103	0.272		308 / 1	0.031
	109 / 2	0.178		313 min	0.209
	109 / 1	0.575		318	
	110 / 1	0.157		319	0 418
	112	0.460		320	0 240
	113			321 min	0 031
	114 / 1 / 1	0.021		324	0 314
Mundri	2	0.240		325	0 011
	5 / 2	0.063		327	
Dangi Kumariya	259 / 2	0.544		328 min	0 178
	260	0.178		328 min	0.209
	261 / 1	0.115	Kachhauwa	329	0 031
	261 / 2	0.115		19	0.011
	261 / 3	0.115		20	0.021
	261 / 4 min	0.115		21	0 139
	279	0.052		27 / 1	
	280	0.142		27 / 2	0 251
	281	0.699		52 / 1	
	283 / 1 B			52 / 2	0 629
	283 / 1 D	0.460		53	0.011
	283 / 1 A			54 min	0 351
	283 / 1 C	0 178		57	0 052
Lachayara	30	0.084		58 / 1	
	31 / 1 / 1	0.167		58 / 2	0.523
	31 / 1 / 2	0.167			
	31 / 2 / 1	0.063			
	31 / 2 / 2	0.052			

[No R-31015/30/97 -OR II]

K. C. Katoch, Under Secy

नई दिल्ली, 19 मई, 1998

का. आ. 997 :- केन्द्रीय सरकार ने, पेट्रोलियम और खनिज पाईपलाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन, जारी की गई भारत सरकार के पेट्रोलियम और प्रकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 2655, तारीख 06 अक्टूबर 1997 द्वारा पेट्रोलियम के परिवहन के लिए गुजरात राज्य में वाडीनार से मध्य प्रदेश राज्य में बीना तक पाइप लाईन बिछाने के प्रयोजनार्थ उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार के अर्जन के अपने आशय की घोषणा की थी;

और उक्त राजपत्रित अधिसूचना की प्रतियाँ जनता को तारीख 23 अक्टूबर 1997 से उपलब्ध करा दी गई थीं;

और उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में सक्षम प्राधिकारी ने केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग का अधिकार अर्जित किया जाना चाहिए।

अतः, अब, उक्त अधिनियम की धारा 6 की उपधारा (1) में प्रदत्त अधिकारों का प्रयोग करते हुए भारत सरकार यह घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार अर्जित किया जाता है।

यह और कि केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार, केन्द्रीय सरकार में निहित होने की बजाय सभी विल्लंगमों से मुक्त होकर भारत ओमान रिफायनरीज लिमिटेड में निहित होगा।

अनुसूची

तहसील : सिरोंज	जिला : विदिशा	राज्य : मध्य प्रदेश
गांव का नाम	सर्वे क्रमांक	क्षेत्रफल हेक्टेयर/आरे
(1)	(2)	(3)
बावरोद	37	0.392
	50	0.468
	52	0.114
	53	0.266
	54	0.126
	56	0.139
	74	0.316
	75	0.063
	76	0.190

(1)	(2)	(3)
	77	0.506
	80	0.342
	81	0.114
	82	0.468
	83	0.240
	84	0.379
	86	0.025
देवी टोरी	145 / 2	0.354
सिद्धिक गंज	115	0.177
	118	0.405
	119	0.228
	151	0.013
	155	0.278
	156	0.240
	166	0.051
	167	0.430
पीपल खेड़ा	151	}
	152	
	153	
	157	0.607
	158	0.038
	164	0.357
	167	0.070
	168	0.160
	172	0.025
	310 गिन	0.531
पाटन	1	0.670
	6	1.012
	11	0.063
	12 / 3	0.089
	13	0.152
	14	0.164
	15	0.126
	16	0.101
	20	0.291
	21	0.215
	22	0.025
	36	0.468
	121	0.139
	122	0.417
	123 गिन	0.038
जलालपुरा	53	0.152
	54	0.303
	56	0.304
	58	0.013
	59	0.253
	60	0.013

(1)	(2)	(3)	(1)	(2)	(3)
	61	0.063		1129	0.063
	62	0.190		1130	0.291
	63	0.139		1131	0.026
	64	0.089		1132	0.013
	70	0.076		1133	0.215
	71	0.126		1135	0.417
	99 / 1	0.038		1136	0.013
	101	0.646		1137	0.063
	103	0.190		1141	0.745
	104	0.101	पामाखेड़ी	230	0.329
	105	0.607		232	0.025
	110 / 1-2	0.281		245	0.013
कल्याणपुरा	21	0.215		249	0.240
	27	0.152		250	0.312
	29	0.063		251	0.114
	30	0.038		253	0.164
	31	0.552		254	0.126
	34 मिन	0.196		255	0.190
	34 मिन	0.196		257	0.139
	35	0.316		279	0.152
	37	0.316		280	0.506
	38	0.404		281	0.291
	39 मिन	0.202		282	0.038
	39 मिन	0.202		427	0.220
	65	0.013		428	0.379
	66	0.481		429	0.038
	67 मिन	0.481		430	0.013
	68	0.026		431	0.367
	73	0.063		432	0.089
	74 / 2	0.506		433	0.342
	75	0.443		457	0.139
	76	0.443		680	0.089
	77	0.342		681	0.076
	79	0.391		682	0.051
कस्बा सिरौज	43	0.114		683	0.089
	47	0.316		684	0.126
	48	0.253		685	0.215
	53	0.026		703 / 1	0.077
	57	0.405		704	0.026
	59	0.650		705	0.038
	77 मिन	0.810		707	0.038
	77 मिन	0.810		708	0.620
	1088	1.290		719 / 1	0.208
	1090	0.140		719 / 2	0.209
	1126	0.026		720	0.038

(1)	(2)	(3)	(1)	(2)	(3)
	721	0.582		647	0.126
	725	0.708		758	0.582
	726	0.114		759	0.013
	730	0.051		760	0.228
	737 / 840	0.013		766	0.419
	738	0.607		769	0.316
	741	0.152		839	0.202
	745	0.177		840	0.696
	746	0.594		858	0.595
	747 / 1	0.266		859	0.013
	766	0.177		860	0.152
	767	0.407		861	0.354
	769	0.202		862	0.051
	770	0.038		1627 मिन	0.405
मनी रामपुर	1	0.063		1627 मिन	0.405
	3	0.190		1629	0.272
	4	0.089		1651	0.320
	8	0.013		1652 / 1	0.506
	9 / 1	0.506		1655	0.190
	10	0.430	रफसोल	20	0.114
	11 मिन	0.114		21	0.557
	13	0.455		22	0.228
बामूरियाउदा	451	0.253		23	0.228
	453	0.544		24	0.089
	491	0.417		110	0.051
	493	0.532		118	0.152
	487	0.089		119 मिन	0.038
	488	0.279		120 मिन	0.228
	503	0.405		121	0.228
	504	0.329		126	0.139
	505	0.443		127	0.076
	512	0.595		128	0.089
	513	0.026		130	0.013
	518	0.005		131	0.468
	566	0.329		143	0.202
बागरीद	116	0.013		144	0.013
	117 मिन	0.797		145	0.101
	119	0.417	एचनवाड़ा	226	0.076
चाठौली	632	0.949		227	0.114
	636	0.430		233	0.215
	637	0.126		235	0.240
	638	0.190		237	0.126
	639	0.139		238	0.113
	643	0.190		239	0.076
	645	0.430		240	0.142

(1)	(2)	(3)	(1)	(2)	(3)
	246	0.013		252	0.013
	247	0.228		262	0.089
	248	0.013		263	0.443
	282	0.038		264	0.013
	286	0.253		266	0.038
	287	0.531		267	0.278
	301	0.038		270 / 1	0.140
	302	0.253		270 / 2	0.230
	303	0.215		272	0.038
	304	0.126		274	0.026
	308	0.303	राजपुरा	107	0.139
	309	0.114		108	1.000
	311	0.164		109	0.279
	312	0.026		111	0.190
	313	0.164		113	0.190
	318 / 7	0.013		114	0.253
	319 / 1	0.127		116	0.228
	319 / 2	0.294		122	0.228
	320	0.013		123	0.051
	321	0.051		124	0.051
	322	0.114		125	0.089
	323	0.114		126	0.038
	324	0.038		127	0.013
	328	0.164		128	0.114
	327	0.051		129	0.063
	330 मिन्	0.126		132	0.063
	335	0.038		133	0.063
	336	0.114		136	0.139
	337	0.051		137	0.076
	338	0.051		160	0.025
	340	0.038		164	0.051
अथाई खेड़ा	125	0.094		165	0.087
	128 / 1	0.531		166	0.177
	129 / 1	0.026		167	0.228
	130 / 1	0.576		175	0.228
	131	0.450		176	0.202
	132	0.013	बरेज	177	0.010
	133	0.215		142	0.030
	134	0.076		143	0.040
	242	0.038		144	0.140
	243	0.215		408	0.101
	244	0.114		409	0.152
	249	0.177		412	0.038
	250	0.038		413	0.215
	251	0.073		414	0.215
				415	0.177
				416	0.013

(1)	(2)	(3)	(1)	(2)	(3)
	417	0.320		43	0.330
	419	0.177		45	0.430
	427	0.281		46	0.051
	428	0.417		47	0.139
	429 / 1	0.190		48	0.367
	429 / 2	0.519		50	0.278
	430	0.013		51	0.177
	431	0.190		60	0.319
फर्रुखाताल	28	0.152		61	0.013
	29	0.164		65	0.089
	31	0.405		67	0.038
	56	0.063		68	0.329
	57	0.038		70	0.051
	59 / 1	0.100		71	0.190
	59 / 2	0.088		91	0.354
	60	0.324		92	0.114
	63	0.324		94	0.114
	107 मिन	0.304		95	0.013
	108	0.063		102	0.405
	109 / 1	0.209		103 मिन	0.202
	113 / 2	0.021		104	0.202
	118	0.167	नरखेड़ाताल	61	0.188
	119	0.063		64	0.157
	120 / 1	0.072		296	0.139
	120 / 2	0.052		396 मिन	0.836
	121 / 1	0.465		403	0.312
	122	0.418		404	0.031
	123 मिन	0.042		405	0.188
	126	0.470		407	0.534
	127	0.072		410	0.114
	232	0.582		425	0.450
	241	0.240		426	0.470
	242	0.076		427	0.187
	246	0.266		428	0.515
	255	0.025		429	0.013
	256	0.278		430	0.523
	262	0.316		431	0.013
	263 मिन	0.215		432	0.240
	268	0.360		468	0.721
	269	0.582		469	0.139
	270 / 1	0.051		470	0.089
	291	0.341		471	0.493
	292	0.240		472	0.013
	293	0.076		476	0.379
तथा नगर	18	0.164		500	0.367
	23 मिन	0.240			
	24	0.361			
	31	0.376			
	35	0.038			
	42 मिन	0.013			

[सं. अप-31015/31/97-ओ.अप. II]

के. सी. कटोच, अवर सचिव

Schedule

New Delhi, the 19th May, 1998

S.O. 997 :- Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas, No.S.O. 2654, dated the 06 October, 1997, issued under sub section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Rights of User in Land) Act, 1962 (50 of 1962), (herein after referred to as the said Act), the Central Government declared its intention to acquire the right of user in the lands specified in Schedule appended to the notification for the purpose of laying pipeline for the transport of petroleum from Vadinar in the State of Gujarat to Bina in the State of Madhya Pradesh;

And whereas, the copies of the said Gazette notification were made available to the public on the 23 October, 1997;

And whereas, the Competent Authority in pursuance of sub-section (1) of section 6 of the said Act has made his report to the Central Government;

And whereas, the central Government after considering the said report is satisfied that the right of user in the land specified in the Schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government declares that the right of user in lands specified in the Schedule appended to this notification are hereby acquired;

And further in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said lands shall instead of vesting in the Central Government, vest free from all encumbrances, in Bharat Oman Refineries Limited.

Tehsil : Sironj District : Vidisha State : Madhya Pradesh

Name of Village	Survey No	Area Hectare/Acre
(1)	(2)	(3)
Babrod	37	0.392
	50	0.468
	52	0.114
	53	0.266
	54	0.126
	56	0.139
	74	0.316
	75	0.063
	76	0.190
	77	0.506
	80	0.342
	81	0.114
	82	0.468
	83	0.240
	84	0.379
	86	0.025
Devi Tori	145 / 2	0.354
Siddik Ganj	115	0.177
	118	0.405
	119	0.228
	151	0.013
	155	0.278
	156	0.240
	166	0.051
	167	0.430
Pipaliya Kheda	151	}
	152	
	153	
	157	0.481
	158	0.607
	164	0.038
	167	0.357
	168	0.070
Patan	168	0.160
	172	0.025
	310 min	0.531
	1	0.670
	6	1.012
	11	0.063
	12	0.089
	13	0.152
	14	0.164
	15	0.126

(1)	(2)	(3)	(1)	(2)	(3)
	16	0.101		79	0.391
	20	0.291	Kasba Sironj	43	0.114
	21	0.215		47	0.316
	22	0.025		48	0.253
	36	0.468		53	0.026
	121	0.139		57	0.405
	122	0.417		59	0.650
	123 min	0.038		77 min	0.810
Jalalpur	53	0.152		77 min	0.810
	54	0.303		1088	1.290
	56	0.304		1090	0.140
	58	0.013		1126	0.026
	59	0.253		1129	0.063
	60	0.013		1130	0.291
	61	0.063		1131	0.026
	62	0.190		1132	0.013
	63	0.139		1133	0.215
	64	0.089		1135	0.417
	70	0.076		1136	0.013
	71	0.126		1137	0.063
	99 / 1	0.038	Pama Khedi	1141	0.745
	101	0.646		230	0.329
	103	0.190		232	0.025
	104	0.101		245	0.013
	105	0.607		249	0.240
	110 / 1-	0.281		250	0.312
Kalyanpur	21	0.215		251	0.114
	27	0.152		253	0.164
	29	0.063		254	0.126
	30	0.038		255	0.190
	31	0.552		257	0.139
	34 min	0.196		279	0.152
	34 min	0.196		280	0.506
	35	0.316		281	0.291
	37	0.316		282	0.038
	38	0.404		427	0.220
	39 min	0.202		428	0.379
	39 min	0.202		429	0.038
	65	0.013		430	0.013
	66	0.481		431	0.367
	67 min	0.481		432	0.089
	68	0.026		433	0.342
	73	0.063		457	0.139
	74 / 2	0.506		680	0.089
	75	0.443		681	0.076
	76	0.443		682	0.051
	77	0.342		683	0.089
				684	0.126

(1)	(2)	(3)	(1)	(2)	(3)
	685	0.215		636	0.430
	703 / 1	0.077		637	0.126
	704	0.026		638	0.190
	705	0.038		639	0.139
	707	0.038		643	0.190
	708	0.620		645	0.430
	719 / 1	0.208		647	0.126
	719 / 2	0.209		758	0.582
	720	0.038		759	0.013
	721	0.582		760	0.228
	725	0.708		766	0.419
	726	0.114		769	0.316
	730	0.051		839	0.202
	737 / 840	0.013		840	0.696
	738	0.607		858	0.595
	741	0.152		859	0.013
	745	0.177		860	0.152
	746	0.494		861	0.354
	747 / 1	0.266		862	0.051
	766	0.177		1627 min	0.405
	767	0.407		1627 min	0.405
	769	0.202		1629	0.272
	770	0.038		1651	0.320
Mani Rampur	1	0.063		1652 / 1	0.506
	3	0.190		1655	0.190
	4	0.089	Rafsol	20	0.114
	8	0.013		21	0.557
	9 / 1	0.506		22	0.228
	10	0.430		23	0.228
	11 min	0.114		24	0.089
	13	0.455		110	0.051
Bamuriyauda	451	0.253		118	0.152
	453	0.544		119 min	0.038
	491	0.417		120 min	0.228
	493	0.532		121	0.228
	487	0.089		126	0.139
	488	0.279		127	0.076
	503	0.405		128	0.089
	504	0.329		130	0.013
	505	0.443		131	0.468
	512	0.595		143	0.202
	513	0.026		144	0.013
	518	0.005		145	0.101
	566	0.329	Achan vada	226	0.076
	116	0.013		227	0.114
Bagrod	117 min	0.797		233	0.215
	119	0.417		235	0.240
Chathholi	632	0.949		237	0.126
				238	0.113

(1)	(2)	(3)	(1)	(2)	(3)
	239	0.076		251	0.073
	240	0.142		252	0.013
	246	0.013		262	0.089
	247	0.228		263	0.443
	248	0.013		264	0.013
	282	0.038		266	0.038
	286	0.253		267	0.278
	287	0.531		270 / 1	0.140
	301	0.038		270 / 2	0.230
	302	0.253		272	0.038
	303	0.215		274	0.026
	304	0.126		107	0.139
	308	0.303	Rajpura	108	1.000
	309	0.114		109	0.279
	311	0.164		111	0.190
	312	0.026		113	0.190
	313	0.164		114	0.253
	318 / 7	0.013		116	0.228
	319 / 1	0.127		122	0.228
	319 / 2	0.294		123	0.051
	320	0.013		124	0.051
	321	0.051		125	0.089
	322	0.114		126	0.038
	323	0.114		127	0.013
	324	0.038		128	0.114
	328	0.164		129	0.063
	327	0.051		132	0.063
	330 min	0.126		133	0.063
	335	0.038		136	0.139
	336	0.114		137	0.076
	337	0.051		160	0.025
	338	0.051		164	0.051
	340	0.038		165	0.087
Athai Kheda	125	0.094		166	0.177
	128 / 1	0.531		167	0.228
	129 / 1	0.026		175	0.228
	130 / 1	0.576		176	0.202
	131	0.450		177	0.010
	132	0.013		142	0.030
	133	0.215	Barcj	143	0.040
	134	0.076		144	0.140
	242	0.038		408	0.101
	243	0.215		409	0.152
	244	0.114		412	0.038
	249	0.177		413	0.215
	250	0.038			

(1)	(2)	(3)	(1)	(2)	(3)
Kasbatal	414	0.215		43	0.330
	415	0.177		45	0.430
	416	0.013		46	0.051
	417	0.120		47	0.139
	419	0.177		48	0.367
	427	0.281		50	0.278
	428	0.417		51	0.177
	429 / 1	0.190		60	0.319
	429 / 2	0.519		61	0.013
	430	0.013		65	0.089
	431	0.190		67	0.038
	28	0.152		68	0.329
	29	0.164		70	0.051
	31	0.405		71	0.190
	56	0.063		91	0.354
	57	0.038		92	0.114
	59 / 1	0.100		94	0.114
	59 / 2	0.088		95	0.013
	60	0.324		102	0.405
	63	0.324		103 min	0.202
	107 min	0.304		104	0.202
	108	0.063	Narkheda Tal	61	0.188
	109 / 1	0.209		64	0.157
	113 / 2	0.021		296	0.139
	118	0.167		396 min	0.836
	119	0.063		403	0.312
	120 / 1	0.072		404	0.031
	120 / 2	0.052		405	0.188
	121 / 1	0.465		407	0.534
	122	0.418		410	0.114
	123 min	0.042		425	0.450
	126	0.470		426	0.470
	127	0.072		427	0.187
	232	0.582		428	0.515
	241	0.240		429	0.013
	242	0.076		430	0.523
	246	0.266		431	0.013
	255	0.025		432	0.240
	256	0.278		468	0.721
	262	0.316		469	0.139
	263 min	0.215		470	0.089
	268	0.360		471	0.493
	269	0.582		472	0.013
Fava Nagar	270 / 1	0.051		476	0.379
	291	0.341		500	0.367
	292	0.240			
	293	0.076			
	18	0.164			
	23 min	0.240			
	24	0.361			
	31	0.376			
	35	0.038			
	42 min	0.013			

[File No R-31015/31/97-OR II]

K C Katoch, Under Secy

श्रम मंत्रालय

नई दिल्ली, 21 अप्रैल, 1998

का०आ०. 998.—जबकि भारत सरकार के उच्च मैसर्स भारत इलेक्ट्रॉनिक्स लिमिटेड बेंगलूर जो कि केन्द्रीय सरकार का प्रतिष्ठान है, ने उपदान संदाय अधिनियम, 1972 (1972 का 39) (जिसे इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 5 की उपधारा (1) के अधीन छूट के लिए आवेदन किया है,

और जबकि केन्द्रीय सरकार की राय में उक्त प्रतिष्ठान के कर्मचारियों को मिलने वाले उपदान लाभ उक्त अधिनियम के अधीन प्रदत्त लाभों से कम नहीं हैं,

अतः अब उक्त अधिनियम की धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारत इलेक्ट्रॉनिक्स लिमिटेड, बेंगलूर को इस अधिसूचना के सरकारी राजपत्र में प्रकाशन की तारीख से उक्त अधिनियम के उपबंधों के प्रचालन से छूट प्रदान करती है।

[सं० एस-42014/3/96-एस.एस.-II]

जे०पी० शुक्ला, अवर सचिव

MINISTRY OF LABOUR

New Delhi, the 21st April, 1998

S.O. 998.—Whereas the Bharat Electronics Limited Bangalore an establishment under control of the Central Government has applied for exemption under sub-section (1) of the Section 5 of the payment of Gratuity Act 1972 (39 of 1972) (hereinafter referred to as the said Act).

And whereas in the opinion of the Central Government the gratuity benefit receivable by the employees of the said establishment are not less favourable than the benefit conferred under the said Act,
1251 GI/98—8

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 5 of the said Act the Central Government hereby exempts the Bharat Electronics Limited, Bangalore from the operation of the provisions of the said Act from the date of publication of this notification in the official Gazette.

[No. S-42014/3/96-SS. II]

J. P. SHUKLA, Under Secy.

नई दिल्ली, 28 अप्रैल, 1998

का०आ०. 999.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै० ई०सी०एल० के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण (सं०-2) धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-4-98 को प्राप्त हुआ था।

[फं०एल-20012/15/87-डी० III ए/आई आर(सी-I)]

अजय कुमार, अनुभाग अधिकारी

New Delhi, the 28th April, 1998

S.O. 999.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Govt. Industrial Tribunal, (No.-2), Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. E.C.L. and their workman, which was received by the Central Government on 27-4-98.

[No. L-20012/15 87 D III A/R (C-1)]

AJAY KUMAR, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (NO. 2) AT
DHANBAD

PRESENT:

Shri B. B. Chatterjee, Presiding Officer.

In the matter of an Industrial Dispute under
Section 10(1)(d) of the I.D. Act., 1947

Reference No. 142 of 1987

2. Soon after the receipt of the order of reference notices were duly served upon the parties. But neither of the parties turned up nor took any steps. Thereafter notices were issued to them on several occasions but in spite of the issuance of notices to them they neither appeared nor took any steps. It therefore leads me to an inference that presently there is no dispute existing between the parties. In the circumstances, I have no other alternative but to pass a 'No dispute' Award in this reference.

B. B. CHATTERJEE, Presiding Officer

PARTIES:

Employers in relation to the management of
Shampur-A Colliery of M/s. Eastern Coal-
field Ltd., and their workmen.

नई दिल्ली, 28 अप्रैल, 1998

APPEARANCES:

On behalf of the workmen--None.

On behalf of the employers--None.

STATE : Bihar. INDUSTRY : Coal.

Dated, Dhanbad, the 13th April, 1998

का०आ०. 1000:—औद्योगिक विवाद अधिनियम, 1947
(1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय
सरकार मै० बी०सी०सी०एल० के प्रबन्धतंत्र के संबंध में न्यो-
जकों और उनके कर्मकारों के बीच, अनुबंध में निविष्ट
औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण
(सं०-2), धनबाद के पंचाट को प्रकाशित करती है, जो
केन्द्रीय सरकार को 27-4-98 को प्राप्त हुआ था।

[फं० एल-20012/241/94-आई आर(सी-I)]

अजय कुमार, अनुभाग अधिकारी

AWARD

The Govt. of India, Ministry of Labour, in exer-
cise of the powers conferred on them under Section
10(1)(d) of the I.D. Act., 1947 has referred the
following dispute to this Tribunal for adjudication
vide their Order No. L-20012(15)87-D.III(A),
dated, the 7th May, 1987.

New Delhi, the 28th April, 1998

SCHEDULE

"Whether the demand of Rashtriya Colliery
Mazdoor Sangh for conforming Technical
and Supervisory Grade-'B' to Shri Raj
Ballav Singh, Hard Coke Oven Supervisor
of Shyampur-A Colliery of M/s. Eastern
Coalfields Limited is justified? If so, to
what relief the workman is entitled?"

S.O. 1000.—In pursuance of Section 17 of the
Industrial Disputes Act, 1947 (14 of 1947), the
Central Government hereby publishes the award of
the Central Government Industrial Tribunal, (No.-2),
Dhanbad as shown in the Annexure in the Industrial
Dispute between the employers in relation to the
management of M/s. BCCL and their workman,
which was received by the Central Government on
27-4-1998.

[No. L 20012/241/94-IR (C-I)]

AJAY KUMAR, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (NO. 2) AT
DHANBAD

PRESENT :

Shri B. B. Chatterjee, Presiding Officer.

In the matter of an Industrial Dispute under Section (10) (1)(d) and Sub-section 2(k) of the I.D. Act, 1947.

REFERENCE NO. 84 OF 1995

PARTIES :

Employers in relation to the management of Kooridih Colliery of M/s. B.C.C.L. and their workmen.

APPEARANCES :

On behalf of the workmen.—Shri D. Mukherjee, Advocate.

On behalf of the employers.—Shri B. Joshi, Advocate.

STATE : Bihar.

INDUSTRY : Coal

Dhanbad, the 15th April, 1998

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) and 2(k) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012(241)/94-I.R.(Coal-I), dated the 17th/22nd May, 1995.

SCHEDULE

“Whether the demand of the union in the year 1992 for rectification of the Date of Birth of Shri Chhatoo Mia, Mining Sirdar on the basis of Mining Sirdarship Certificate issued to him on 30-1-1969 is justified? If so, to what relief is the concerned workman entitled to?”

2. The highlight of the background of the present reference case may be stated as follows :—

The concerned workman Chhatoo Mia has made out a case that the concerned workman was appointed originally in the year 1982 in the post of Mining Sirdar after passing Mining Sirdarship examination in the year 1968. He received the Sirdarship certificate on 30-1-1969 wherein the age of the concerned workman was recorded as 11-9-1937. It was obligatory on the part of the workman to produce Sirdarship certificate before his appointment and as such Chhatoo Mia produced Sirdarship certificate before the management the date of birth of Chhatoo Mia was management the date of birth of Chhatoo Mia was recorded in the relevant register as 16-10-1932. The concerned workman Chhatoo Mia made representation before the management challenging correctness, legally and arbitrary record of his date of birth in the

relevant register of the management and also pressed for correction in the entries of the register by nothing therein the date of birth as mentioned in Sirdarship Certificate. Under instruction No. 76 of JBCCI the management is legally bound to accept the date of birth of the concerned workman as noted in his Mining Sirdarship Certificate but in spite of such representation the concerned workman was served with a notice dated 27/29-4-1992 for his superannuation with effect from 16-10-1992. Finding no other alternative the sponsoring union raised an industrial dispute before the ALC(C), Dhanbad challenging the termination of services of Chhatoo Mia with a demand to accept the date birth of the concerned workman as recorded in Mining Sirdarship certificate. Attempt for conciliation made but due to the adamant attitude of the management the same ended in failure for which the Govt. of India, Ministry of Labour has referred this dispute to this Tribunal for adjudication on the point mentioned in the reference. It is also the case of the concerned workman that the demand of the union for rectification of the date of birth of the concerned workman on the basis of Mining Sirdarship Certificate issued to him is justified and that the order of superannuation of the concerned workman by the management was illegal, unjustified and also against the principles of natural justice. The concerned workman therefore prays for an order directing the management to reinstate him with full back wages after rectification of his date of birth as 11-9-1937 as mentioned in the Mining Sirdarship Certificate dated 30-1-1969. Hence, the reference.

3. The management opposed the reference case by filing W.S.-cum-rejoinder wherein the management has challenged the legality and maintainability of the present reference and at the same time it has made out a case that the date of birth of the concerned workman in the Form B Register of Kooridih Colliery was 16-10-32 and in the B Form Register which is a statutory document maintain under Section 48 of the Mines Act, 1952 read with Rules 77 of the Mines, 1955. The entries made therein having presumptive value is a conclusive proof of the date of birth of the concerned workman. The management has also made out a case that the concerned workman was a literate person and was also holding a supervisory post in the capacity of Mining Sirdar in the Coal Mines and it was his duty as Mining Sirdar to exercise control over the workmen working in his district. The concerned workman declared his date of birth at the time of his initial appointment and the same was entered in the Form B Register as per his declaration. The concerned workman put his signature as token of proof as to the correctness of the entries made in that register. Yet if there was anything wrong or incorrect in the entries as to the age etc. of the concerned workman in the Form B register, approach or proposal for correction of such incorrect recording should have been made within the reasonable period of 3 to 5 years without waiting till the sag end of his service of a particular workman and in the instant case of the concerned workman Chhatoo Mia. The Form B Register is the basic document for deciding the date, time etc. of superannuation on the basis of which entries as to the date of birth in that register. Had

there been any incorrect entries therein concerning any workman by way of mistake or in advertance the concerned workman should have challenged such incorrect entries as early as practicable. In addition, since Form B Register is a statutory document criminal liability or responsibility is attached for intentional incorrect entries by any member of the staff of the management and also in respect of incorrect declaration as to the age of a particular workman and in the instant case if there was any such mistake in the Form B Register the concerned workman like that of a particular staff member of the management is liable to be prosecuted for giving false declaration as to his date of birth at the time of his initial appointment. Further, case of the management is that the date of birth of the concerned workman as recorded in the Form B Register is a conclusive evidence for the purpose of date of superannuation of Chhatoo Mia and that the concerned workman at the time of appearing in Mining Sirdarship examination managed to submit some false date of birth and thereby obtained Mining Sirdarship certificate incorporating therein different date of birth from that which was declared by him at the time of his initial appointment and entered in the Form B Register for which he remained silent for so many years and raised a dispute through the sponsoring union after lapse of number of years when he was superannuated in the year 1992 and that too with an ulterior motive to get the service period extended in this way, for which the concerned workman is entitled to no relief.

In addition to the case made out in the W.S. the management by submitting rejoinder has challenged the different paras of the W.S. of the concerned workman and in doing so the management has challenged the correctness of the date of birth as mentioned in the Sirdarship certificate if it was correctly recorded therein there was no justification for the concerned workman not to raise the dispute immediately after his appointment as Mining Sirdar in 1971 or in 1972 which is a circumstance showing that the incorporation of the date of birth in the Mining Sirdarship certificate of the concerned workman was not correct. The management has also further submitted that the entries made in the Form B Register as to the date of birth of the concerned workman at the time of his initial appointment on the basis of declaration made by him was correct date of birth for which his superannuation was quite justified. The management has denied that as per JBCCI Instruction No. 76 the date of birth of the concerned workman recorded in the Form B Register is required to be corrected with reference to the Mining Sirdarship certificate of the concerned workman rather as per norms laid down the date of birth of the concerned workman is not at all required to be corrected. The superannuation of the concerned workman by the management on attaining the age of superannuation as per entries made in Form B Register was proper and justified. The concerned workman is not entitled to any relief at all. Naturally the management has prayed for passing an Award upon a finding to that effect.

4. The sponsoring union submitted a rejoinder in reply to the W.S. of the management and thereby the

concerned workman has made out a case that due to in advertance of mistake the management illegally recorded the date of birth of the concerned workman as 16.10.32 although he was appointed in the year 1972 as Mining Sirdar and his date of birth is mentioned therein otherwise it should have been recorded in the relevant register of the management. The management is bound to accept the contents of the certificate after the concerned workman has produced the Mining Sirdarship certificate before it. The sponsoring union has also denied the contents of para 9 to 14 as false frivolous and motivated, and at the same time submitted that at the time of initial appointment the concerned workman declared his correct date of birth but either through inadvertance or through mistake the clerk concerned noted the date of birth of the concerned workman in the relevant register wrongly. In view of the facts and circumstances the workman concerned is entitled to a favourable order of the reference and has prayed for a finding to that effect.

5. The point for decision is whether the concerned workman is entitled to any favourable order for rectification of his age/date of birth in the Form B register and thereby for an order for his reinstatement with full back wages.

DECISIONS AND REASONS

6. The concerned workman has examined himself as WW-1 and has also produced certain documents admitted in the evidence and marked as exhibits. The documents are Mining Sirdarship Certificate vide Ext. W-1, correspondence from Dy. Personnel Manager of BCCL vide Ext. W2, School Leaving certificate vide Ext. W-3 and comment of the management in connection with dispute in respect of the management in connection with dispute in respect of the concerned workman vide Ext. W-4. On the other hand the management abstained from adducing any oral or documentary evidence in support of his case made in the W.S.-cum-rejoinder.

7. WW-1, Chhatoo Mia, the concerned workman during his examination in the Court has tried to depose in terms of his prayer in the W.S. and in doing so he has stated that he was appointed as Mining Sirdar in Kooridih Colliery in the year 1972 after passing Mining Sirdarship examination in 1968. He has claimed that his date of birth as per Mining Sirdarship certificate was 11-9-37 whereas in the Form B Register of Kooridih Colliery it was recorded as 16-10-1932. The witness has claimed that he made representation before the management pointing out the incorrect recording of his age in the Form B Register with reference to Mining Sirdarship certificate but inspite of that his services were terminated by way of superannuation before attaining such age. During his cross-examination the witness admitted that in the year 1968 he was an employee of Katras Coitaduh Colliery when he passed Mining Sirdarship examination and that he got the letter of appointment of Mining Sirdar after nationalisation. It is also in his evidence during his cross-examination that his signature on the relevant register was obtained by keeping the same blank with the assurance that necessary entries would

be made therein in time. But curiously enough on such case has been made out in the W.S. The evidence of this witness though tested by way of cross-examination is exparte in nature as the management has abstained from adducing any evidence yet when there is no dispute that the concerned workman put his signature in the relevant register i.e. the Form B Register wherein entry as to his date of birth and other particulars were made as per declaration of the concerned workman and by signing the same he accepted the correctness of such entries in that Register, he cannot shake of his responsibilities or knowledge as to the correctness by subsequent production of Mining Sirdarship certificate containing different date of birth. Learned Advocate for the concerned workman drawing my attention towards Circular No. 76 of JBCCI specially to (i)(b) submitted that since Mining Sirdarship certificate is one of the basis for determination of date of birth of a particular workman, the date of birth of the concerned workman as noted in the Mining Sirdarship Certificate issued to him should be accepted and by doing so there should be finding to that effect that his superannuation by the management on any earlier date than that of the date mentioned in the Sirdarship Certificate is not only unjust or improper but against the principles of natural justice and therefore illegal, for which it is submitted that in the instant case there should be an order in favour of the concerned workman with a direction to the management to reinstate him with full back wages. On the other hand learned Advocate for the management drawing my attention to the certified Standing Order Clause No. 37.0 which laid down the manner of recording the date of birth in the relevant register of the management on the basis of the document mentioned therein or on the basis of the declaration which might be made by the employee or the concerned workman and duly verified by the management. It is submitted that even if it is taken for granted that there was certain mistake in recording the date of birth of the concerned workman in Form B Register of the management and if it was within his knowledge the dispute or claim for correction of date of birth should have been made much earlier or at least immediately after his appointment as Mining Sirdar in the year 1972 but for the reasons best known to the concerned workman he allowed time to be killed and raised the question of incorrect entries in Form B register not only after lapse of few years but also at the fag end of his service career when he was served with a notice of superannuation and when he actually superannuated. This shows that in fact the concerned workman managed to obtain Mining Sirdarship certificate with a different date of birth mentioned therein and on that basis he made an attempt for getting length of his service extended by raising an industrial dispute which should not be encouraged because of the inordinate delay to put forward such a demand for rectification of the date of birth in the Form B Register. Learned Advocate for that purpose has relied upon a decision of our Hon'ble Apex Court reported in Lab I.C. 1995 page 1825 where the Hon'ble Court was pleased to refuse to entertain Writ Application/Petition filed by an employee of the Government seeking correction of his date of birth entered in the Service and Leave Record. It is true that Circular No. 76 mentions Mining Sirdarship certificate

as one of the basis for determination for review/determination of the date of birth of a particular employee but in the instant case when the date of birth of the concerned workman was entered in the Form B Register on the basis of the declaration made by him at his initial appointment and admitted to be correct by the concerned workman by signing thereon, I am unable to hold that the provision as contained in JBCCI Circular No. 76 are of any help to the concerned workman in this case. The concerned workman is therefore not entitled to any favourable order in the reference and by relying on a decision of the Hon'ble Supreme Court as discussed above I cannot but hold that the concerned workman is also not entitled to an order for reinstatement with full back wages. The result is that the concerned workman is not entitled to any relief in this reference. The demand for rectification of the date of birth of the concerned workman by the sponsoring union is not at all justified.

This is my Award.

B. B. CHATTERJEE, Presiding Officer

नई दिल्ली, 28 अप्रैल, 1998

का०आ० 1001.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स० बी०सी०सी०एल० के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण (सं०-2), धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-4-98 को प्राप्त हुआ था।

[सं. एल-20012/336/86-डी, III ए/आई आर (सी-1)]

अजय कुमार, अनुभाग अधिकारी

New Delhi, the 28th April, 1998

S.O. 1001.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Govt. Industrial Tribunal, (No. 2) Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. B.C.C.L. and their workman, which was received by the Central Government on 27-4-1998.

[No. L-20012/336/86-DIIA/IR(C-I)]

AJAY KUMAR, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (NO. 2) AT
DHANBAD

PRESENT

Shri B. B. Chatterjee.

Presiding Officer

नई दिल्ली, 28 अप्रैल, 1998

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947.

REFERENCE NO. 172 OF 1987

PARTIES :

Employers in relation to the management of Regional Store in Kusunda Area of Messrs Bharat Coking Coal Ltd. and their workmen.

APPEARANCES :

On behalf of the workmen : None.

On behalf of the employers : None.

State : Bihar. Industry : Coal.

Dated, Dhanbad, the 15th April, 1998

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012-(336)/86-D.III(A), 30th June, 1987.

THE SCHEDULE

"Whether the demand of Rashtriya Colliery Mazdoor Sangh that Shri Chandrika Prasad Singh, Clerk Grade-II, Regional Store, Kusunda Area of M/s. BCCL should have been promoted in Clerical Grade-I, with effect from 1-4-1983 instead of 1-4-1985 is justified? If so, to what relief the workman is entitled?"

2. Soon after the receipt of the order of reference notices were duly served upon the parties. But neither of the parties turned up nor took any steps. Then again notices were issued to them but in spite of the issuance of notices to them they neither appeared nor took any steps. It therefore leads me to an inference that there is no dispute existing between the parties presently. In the circumstances, I have no other alternative but to pass a 'No dispute' Award in this reference.

B. B. CHATTERJEE, Presiding Officer

कांअ० 1002 :—श्रीयोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै० सी०सी०एल० के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट श्रीयोगिक विवाद में केन्द्रीय सरकार श्रीयोगिक अधिकरण (सं०-2), धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-4-98 को प्राप्त हुआ था।

[सं. एल-24012/116/86-डी IV (बी)/आईआर (सी-I)]

अजय कुमार, अनुभाग अधिकारी

New Delhi, the 28th April, 1998

S.O. 1002.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, (No. 2) Dhanbad as shown in the Annexure in the industrial dispute between the employers in relation to the management of M/s. C.C.L. and their workman, which was received by the Central Government on 27-4-1998.

[No. L-24012/116/86-D.IV(B)/IR (C-I)]

AJAY KUMAR, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri B. B. Chatterjee, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)(d) of the I. D. Act, 1947

Reference No. 163 of 1987

PARTIES :

Employers in relation to the management of Pipradih Colliery of M/s. C.C. Ltd. and their workmen.

APPEARANCES :

On behalf of the workmen—None.

On behalf of the employers—None.

STATE : Bihar

INDUSTRY : Coal

Dhanbad, the 13th April, 1998

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I. D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-24012/116/86-D.IV (B), dated, the 16th February, 1987.

SCHEDULE

"Whether the action of the management of Pipradih Colliery of C.C. Ltd. P.O. Gomia, Distt. Hazaribagh in declaring the age of the workman as 57 years as on 12-2-85 on the basis of the age assessed by the Medical Committee particularly when there is no variation in age in the CMPF record and the Form B Register to be maintained under the Mines Act is legal and justified? If not, to what relief the workman concerned is entitled?"

2. Soon after the receipt of the order of reference notices were duly served upon the parties. But neither of the parties turned up nor took any steps. Thereafter again notices were issued to them. But in spite of the issuance of notices to them they neither turned up nor took any steps. It therefore leads me to an inference that presently there is no dispute existing between the parties. In the circumstances, I have no other alternative but to pass a 'No dispute' Award in this reference.

B. B. CHATTERJEE, Presiding Officer

नई दिल्ली, 28 अप्रैल, 1998

का०आ०. 1003:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै० सी०सी०एल० के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण (सं०-2), धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-4-98 को प्राप्त हुआ था।

[सं. एल-24012/126/86-डी० IV (बी) आई आर (सी-I)]

अजय कुमार, अनुभाग अधिकारी

New Delhi, the 28th April, 1998

S.O. 1003.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, (No. 2) Dhanbad as shown in the Annexure in the industrial dispute between the employers in relation to the management of M/s. C.C.L. and their workman, which was received by the Central Government on 27-4-1998.

[No. L-24012/126/86-D.IV (B)/IR (C-I)]

AJAY KUMAR, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri B. B. Chatterjee, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)(d) of the I. D. Act, 1947

Reference No. 103 of 1987

PARTIES :

Employers in relation to the management of Bachra Colliery of C.C. Ltd. and their workmen.

APPEARANCES :

On behalf of the workmen—None.

On behalf of the employes—None.

STATE : Bihar

INDUSTRY : Coal

Dhanbad, the 15th April, 1998

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I. D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-24012/126/86-D.IV (B), dated, the February, 1987.

SCHEDULE

"Whether the action of the Management of Bachra Colliery in denying promotion to Shri Laljee Pandey, Work Mistry to the post of Work Supervisor is justified? If not, to what relief the workman is entitled?"

2. Soon after the receipt of the order of reference notices were duly served upon the parties. But neither of the parties turned up nor took any steps. Then again notices were issued to them but inspite of the issuance of notices to them they neither appeared nor took any steps. It therefore leads me to an inference that presently there is no dispute existing between the parties. In the circumstances, I have no other alternative but to pass a 'No dispute' Award in this reference.

B B. CHATTERJEE, Presiding Officer

का०आ० 1004:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै० इंडियन ऑयल कॉर्पोरेशन लि० के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण कलकत्ता के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 1-5-98 को प्राप्त हुआ था।

[सं. एल-30012/70/96-आई आर (सी-I)]

अजय कुमार, अनुभाग अधिकारी

New Delhi, the 1st May, 1998

S.O. 1004.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Calcutta as shown in the Annexure in the industrial dispute between the employers in relation to the management of M/s. Indian Oil Corporation Ltd. and their workman, which was received by the Central Government on 1-5-1998.

[No. L-30012/70/96-IR (C-I)]

AJAY KUMAR, Section Officer
ANNEXURECENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
AT CALCUTTA

Reference No. 38 of 1997

PARTIES :

Employers in relation to the management of M/s. K. B. Das and Sons contractors of M/s. Indian Oil Corporation

AND

Their workmen.

PRESENT :

Mr. Justice A. K. Chakravarty, Presiding Officer.

APPEARANCES :

On behalf of Management—None.

On behalf of Workmen—Mr. R. K. Giri, Secretary of Indian Oil Corporation Employees' Organisation Haldia Refinery.

STATE : West Bengal

INDUSTRY : Petroleum

AWARD

By Order No. L-30012/70/96-IR (Coal-I) dated 13th October, 1997 the Central Government in exercise of its powers under Sections 10(1)(d) and (2A) of the Industrial Disputes Act, 1947 referred the following dispute to this Tribunal for adjudication :

"Whether the action of M/s. K. B. Das and Sons contractors in Marketing Division of M/s. Indian Oil Corporation Ltd., Haldia Refinery in terminating the services of S/Shri Sukdev Patra and Arun Kumar Manna, Helper from 17-2-1992 is justified? If not, to what relief are the concerned workmen entitled?"

2. The present reference in respect of the alleged illegal termination of service of the two workmen, namely, Sukdev Patra and Arun Kumar Manna has arisen at their instance. These workmen claimed to be employees under M/s. K. B. Das and Sons, contractors in the Marketing Division of Indian Oil Corporation, Haldia Refinery. Their services having been terminated on 17-2-1992 without issuing any show cause notice or chargesheet or holding any enquiry proceeding, they referred the matter to the Assistant Labour Commissioner (Central), Calcutta and no settlement between the parties having been effected the present reference was made by the Central Government. On the self-same allegation the concerned workmen raised an industrial dispute before the Assistant Labour Commissioner, Durgachak under the Government of West

New Delhi, the 4th May, 1998

Bengal and the matter was ultimately referred to the Second Industrial Tribunal, West Bengal. The matter was disposed of by an Award dated 16-1-1995 by the said Tribunal by which these workmen were found fit for reinstatement and also entitled to back wages. The workmen approached the principal employer and the contractor for their reinstatement and back wages but they refused to do anything in the matter. The workmen thereafter raised this industrial dispute for the reliefs mentioned above.

3. None appeared for M/s. K. B. Das and Sons, contractors of M/s. Indian Oil Corporation inspite of service of notice upon them and no step also was taken on their behalf. The matter was accordingly fixed for exparte hearing and two witnesses including Sukdeb Patra, one of the concerned workmen, were examined on behalf of the workmen. The other witness examined on behalf of the workmen is Gupada Pal.

4. Since the matter is now being considered exparte, it is necessary to see at the outset whether the reference is at all maintainable and whether the Tribunal has jurisdiction to entertain the matter.

5. In so far as the maintainability of the reference is concerned, the question is whether any industrial dispute at all was raised. From the averments in the written statement the workmen as well as from the evidence of Sukdeb Patra, one of the concerned workmen, it appears that the self same matter was referred to the Industrial Tribunal, Government of West Bengal and the matter was disposed of in favour of the workmen. Since the matter was finally decided by passing an Award, no fresh industrial dispute can be raised on the self-same matter and the present reference thus becomes not maintainable.

6. Regarding the jurisdiction of this Tribunal it appears that the case of the workmen is that their employer was M/s. K. B. Das and Sons, who were contractors of Indian Oil Corporation. It may be true that under Section 2(a)(i) of the Industrial Disputes Act, 1947 the appropriate Government in respect of Indian Oil Corporation is the Central Government, but that does not by itself, make the service of any workman employed by the contractor of the said Corporation, a direct worker under the Indian Oil Corporation. The appropriate Government in respect of any such contractor operating within West Bengal shall be the West Bengal Government. The workmen therefore rightly proceeded against the employer in the State Industrial Tribunal and they have also obtained an Award in their favour. If such order is not implemented, the workmen can take suitable action against their employer as prescribed by law. In any case, the Central Government Industrial Tribunal has no jurisdiction to entertain such matter.

7. This Tribunal having thus no jurisdiction to entertain the matter and the reference itself being not maintainable, no question of entering into the merits of the case can arise. The reference is accordingly disposed of.

This is my Award.

Dated, Calcutta,

The 7th April, 1998.

A. K. CHAKRAVARTY, Presiding Officer

नई दिल्ली, 4 मई, 1998

कां० 1005.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मै० इंडियन एयरलाइन्स के प्रबन्धतंत्र के संबंधित नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण कलकत्ता के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-5-98 को प्राप्त हुआ था।

[सं. एल-11012/1/92-आई आर.(मिस)/आई आर(सी-)]

अजय कुमार, अनुभाग अधिकारी

S.O. 1005.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Calcutta as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Indian Airlines and their workman, which was received by the Central Government on 4-5-98.

[No. L-11012/1/92-IR(Misc.)/(C-I)]

AJAY KUMAR Section Officer

ANNEXURE :

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
AT CALCUTTA :

Reference No. 38 of 1992

PARTIES :

Employers in relation to the management of Indian Airlines.

AND

Their workman.

PRESENT :

Mr. Justice A. K. Chakravarty, Presiding Officer.

APPEARANCES :

On behalf of Management : Mr. R. N. Mazumdar, Advocate.

On behalf of Workman : Mr. B. K. Adhikary, Advocate with Mr. K. N. Yadav, Advocate.

STATE : West Bengal.

INDUSTRY : Airlines.

AWARD

By Order No. I-11012/1/92-IR(Misc.) dated 3-7-1992 the Central Government in exercise of its powers under Sections 10(1)(d) and (2A) of the Industrial Disputes Act, 1947 referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Indian Airlines, Calcutta in dismissing the services of Shri Bhikari Prasad from Indian Airlines with effect from 28-1-86 is legal and justified? If not, to what relief the workman is entitled "

2. The concerned workman Shri Bhikari Prasad was working in the Indian Airlines since 1962 as a Helper (Head Category), having been posted at Engineering Complex, New Technical Area, Dum Dum. His case is that in spite of his performance of duties all along with sincerity, honesty, integrity and without any blamish in his service record, he was served with a show cause notice by Engineering Manager (O/H) on 18/25-10-1983 wherein it was alleged that he did not carry out the order of Mr. R. N. Mukherjee, Foreman, Radio O/H Section to bring radio spares from the stores in terms of the requisition slip No. 105151 and he was further charged that he did not also carry out the order of Mr. C. R. Ghosh, Officiating ABM, Radio C/H. The workman was also served with another show cause notice by the Engineering Manager (O/H) on 18/25-10-1983 containing an allegation that he instigated one Naba Kumar Biswas, Engineering Helper not to carry out the order of his superior and shouted at Mr. D. K. Kundu and refusing to hear Mr. B. K. Chatterjee, A.C.I. who advised him to refrain from shouting.

The workman denied all the allegations made against him in the chargesheet on 22-3-1984. The workman has also alleged that the chargesheet containing false allegations against him was made as he raised complaint to the Chairman, Indian Airlines against two officers namely, Mr. T. N. Rao and Mr. K. N. V. Narayan both sectional heads of Radio Section, for their non-action against those who used to gamble, waste time and practice corruption etc.

On 24th May, 1984 the management appointed Mr. R. N. Pandey, Deputy Manager, Stores and Purchases as an Enquiry Officer and intimated the workman about the same. The workman was also intimated about the date of the hearing. The workman thereafter on 27-6-1985 informed the Enquiry Officer to supply him the Service Rules of the Indian Airlines and Standing Orders in Hindi and reminding that the full enquiry is to be conducted in Hindi and that the statement of witnesses on behalf of the management are to be supplied in Hindi for cross-examination and the copy of the letter issued on 24-6-1985 written in English is to be supplied to him in Hindi. The workman, however, appeared in the enquiry proceeding on 1-7-1985 as directed with his friend Shri S. N. Ram. He reiterated his earlier demands for supplying of the Hindi version of the Service Rules and Standing Orders. The Enquiry Officer expressed his inability and the matter was adjourned till 9-7-1985. The workman has alleged that though he is matriculate, he himself has very little knowledge of English and his friend S. N. Ram also do not know much about English. The workman has alleged that under the Official Language Act, 1963 he is entitled to get Hindi copy of the entire proceeding. On 9-7-1985 he with his friend appeared in the enquiry proceeding where the Hindi version of the Standing Orders etc. were also demanded. The Enquiry Officer, however, produced an already prepared proceeding in English and also having asked the workman and his friend to sign it, they refused to sign the same. The Enquiry Officer asked the workman to participate in the enquiry proceeding without Hindi version of Service Rules and Standing Orders. The Enquiry Officer also informed the workman that if he does not take part in the enquiry proceeding, he would proceed ex-parte and will hold the enquiry. The workman and his friend thereafter came out of the chamber of the Enquiry Officer.

The workman has alleged that the principle of natural justice was not complied with in the enquiry proceeding as he was not supplied with the Hindi version of the Standing Orders and the Service Rules.

On the basis of the report of the Enquiry Officer a show cause notice dated 5-12-1986 was issued upon the workman proposing to impose punishment of dismissal of the workman from service of the Indian Airlines and directing him to show cause on 21-1-1986 about why the said punishment of dismissal shall not be imposed upon him. The workman challenged the said notice as illegal, unfair, unjustified and against the principles of natural justice because the enquiry was held ex-parte. The workman replied to the second show cause notice to the disciplinary authority but the said authority, namely, Chief Engineering Manager, dismissed him from service on 28-1-1986.

The workman then moved the Hon'ble High Court at Calcutta in its writ jurisdiction but that having failed, he raised an industrial dispute before the Regional Labour Commissioner (Central), Calcutta for conciliation. The conciliation having failed, the failure report was sent to the Government of India, Ministry of Labour and the Government of India, Ministry of Labour referred the matter to this Tribunal for adjudication of the issue as per schedule of the reference, mentioned above. The workman has prayed for setting aside the order of dismissal and for his reinstatement with back wages.

3. In the written statement filed on behalf of the Indian Airlines, all the allegations of the workman in the written statement were denied. It was alleged that the workman having committed acts amounting to misconduct under Clauses 28(8) and 28(20) of the Standing Orders applicable to the workman concerned that the chargesheet was properly issued against him. The workman appeared in the enquiry proceeding with his friend Mr. S. N. Ram and demanded Hindi translation of the Service Rules Book which being not available, could not be supplied to him. He, however, was assured that full opportunities and all types of facilities as per rules will be provided to him to enable him to defend the charges. On the insistence of the workman the next date of the enquiry was fixed on 9th July, 1985 and the Enquiry Officer agreed to supply him a translated version of the letter fixing the date of enquiry on 9th July, 1985. The workman insisted that unless and until he was supplied with the Hindi version of the Service Rules of the Indian Airlines and the

enquiry proceeding is conducted in Hindi, he will not take any further part in the enquiry proceeding.

The management denied that it has any obligation to serve Hindi copy of the Service Rules or to hold the proceeding in Hindi. The workman having not participated in the proceeding in spite of repeated requests of the Enquiry Officer, he had no other alternative but to proceed ex-parte against him and recorded the finding of guilt against the workman in respect of the charges levelled against him.

A second show cause notice directing him to show cause as to why punishment of dismissal should not be imposed upon him was issued on 5-12-1985 and the workman replied to the same on 21-1-1986. On 24-1-1986 the workman moved the writ application before the Hon'ble High Court at Calcutta and that application was dismissed on 28-1-1986. Thereafter the Chief Engineering Manager and the disciplinary authority in relation to the workman after careful consideration of the explanation of the workman and also upon consideration of the enquiry proceeding and report of the Enquiry Officer and the service record of the workman and all other relevant documents produced in the enquiry, dismissed the workman from service. The workman thereafter moved the Hon'ble High Court at Calcutta in writ proceeding but such efforts there having proved in vain, he applied for relief under the Industrial Disputes Act, 1947.

The management submitted that the workman having deliberately refused to participate in the enquiry proceeding, the proceeding had been held fairly and properly, though ex-parte. In the above circumstances, all other actions taken including dismissal from service of the workman was proper and justified. The management has also alleged that there was no violation of the principles of natural justice in the above circumstances and prayed for dismissal of the reference.

4. Heard Mr. Adhikary, learned Advocate appearing for the workman and Mr. Mazumdar, learned Advocate appearing for the management.

5. This Tribunal by its Order dated 12-11-1997 held that the domestic enquiry was valid in so far as that relates to the observance of principles of natural justice and procedural fairness. It was accordingly held to be legal, proper and valid. The Tribunal also fixed up another date for hearing the matter on merit under Section 11-A of the Industrial Disputes Act, 1947.

6. The point that falls first for consideration in deciding whether the punishment inflicted upon the workman was fit and proper, is whether the Enquiry Officer was justified in holding the workman guilty as per evidence adduced before him. The entire enquiry proceeding was produced before the Tribunal and marked Ext. M-17 and M-17/1. It appears from the enquiry proceeding that number of witnesses were examined on behalf of the management to prove the charges levelled against the concerned workman. The witnesses examined on behalf of the management were C. R. Ghosh, Officiating A.F.M., Radio, Biman Sengupta, A.C.I., B. P. Srivastava, D. K. Kundu, Office Assistant, B. K. Chatterjee, A.C.I., D. Banerjee, A.C.I. and R. N. Mukherjee, Foreman. These witnesses stated that the concerned workman Bhikari Prasad refused to carry out the order of his superiors and also instigated Naba Kumar Biswas, Helper not to deliver the peon book for delivery of the letters and also shouted at the Office Assistant, even though he was advised to cool down. As stated earlier, the concerned workman having refused to participate in the proceeding without any proper and valid reason, their evidence was heard ex-parte by the Enquiry Officer. The Enquiry Officer also considered the document, namely, the letter written by Shri R. N. Mukherjee to the Engineering Manager reporting the incident to him. It appears from the enquiry report that the Enquiry Officer considered the evidence of the witnesses and rightly came to the conclusion that the charges levelled against the concerned workman had been proved. He also found that there was no malafide or malice on the part of the management or the witnesses against the concerned workman. Upon careful consideration of the evidence adduced by the management in the enquiry to prove the charges against the concerned workman, I find that there is no perversity in the finding of the Enquiry Officer and he rightly came to the conclusion that the workman was guilty of the charges.

7. It should be remembered that though the onus of proof of the alleged guilt always lies with the management, still then, the standard of proof required for proving the charges in the domestic enquiry varies fundamentally from that of proving a criminal offence. My attention was drawn to the case of *State of Haryana v. Rattan Singh*, reported in 1982 (1) LLJ 46 where it is held by the Hon'ble Supreme Court that "It is well-settled that in a domestic enquiry the strict and sophisticated rules of evidence under the Indian Evidence Act may not apply. All materials which are logically probative for a prudent mind are permissible. There is no allergy to hearsay evidence provided it has reasonable nexus and 'credibility.' Judged from that standard, the evidence adduced before the Enquiry Officer quite justifies his finding that the charges against the concerned workman had been proved.

8. It appears from the record that the report of the Enquiry Officer was furnished on 16-11-1985. The show cause notice was issued upon the workman in respect of the proposed imposition of punishment on 5-12-1985 (vide Ext. W-10). The workman sent his reply on 21-1-1986 (vide Ext. W-1) and the final order of dismissal was passed on 28-1-1986 (vide Ext. M-16).

9. The point that next falls for consideration is whether the management was justified in inflicting extreme punishment of dismissal from service of the workman who was rendering service from 1962 on the ground of his refusal to carry out the order of his superior in not bringing the radio spares and also for instigating Naba Kumar Biswas, an Engineering Helper not to carry out the order and shouting in the office room at the same time. It appears from the chargesheet that for not bringing of spares, he was charged for commission of misconduct under the provisions of clause 28(8), 28(19), 28(20) and 28 and for the second offence, namely, for incitement of Naba Kumar Biswas and shouting in office, he was charged under clause 28, 28(18) and 28(20) of the Standing Order.

10. Mr. Adhikary, learned Advocate appearing for the workman, seriously challenged the charges of misconduct as levelled against the workman under the above clauses, as according to him, even if the offences have been proved to have been committed by the workman concerned, still then, they cannot be said to be misconduct rendering the workman liable for dismissal from the service.

11. Mr. Mazumdar, learned Advocate appearing for the management, however, waxed eloquent on the point that even a single offence committed by the workman may render him liable for dismissal from service and that the nature of the offence is to be viewed not only from its factual perspective but also from the distant effect that commission of such offence might create upon the organisation.

12. Regarding the commission of a single offence during the service period rendering the workman liable for dismissal from service on the ground of misconduct, reference was made to the case of *State of Punjab v. Ram Singh*, reported in 1992 Lab. I.C. 2391. It was stated there "Thus it could be seen that the word 'misconduct' though not capable of precise definition, its reflection receive its connotation from the context, the delinquency in its performance and its effect on the discipline and the nature of the duty. It may involve moral turpitude, it must be improper or wrong behaviour; unlawful behaviour wilful in character, forbidden act, a transgression of established and definite rule of action or code of conduct but not mere error of judgment, carelessness or negligence in performance of the duty; the act complained of bears forbidden quality or character. Its ambit has to be construed with reference to the subject matter and the context wherein the term occurs, regard being had to the scope of the statute and the public purpose it seeks to serve." Here in this case the delinquent Constable after having heavy drink was seen roaming in the market with service revolver while he was on duty. When he was sent to the doctor for medical examination, he abused the medical officer on duty which shows his depravity or delinquency due to his drinking habit. It was accordingly held that the conduct of the Constable concerned gravest misconduct warranting dismissal from service.

My attention was also drawn to the case of *S.O. Tiwari and Ors. v. Central Railway*, reported in 1960 (1) LLJ 167, where as many as 10 types of misconducts have been illustrated. Mr. Mazumdar submitted that the offences committed by the workman being prejudicial to the interest of his master and that also being inconsistent or incompatible to the due and peaceful discharge of his duty to the master that the workman was rightly dismissed from service.

13. Mr. Adhikary, on the other hand, referred to the case of *I.T.C. v. Presiding Officer*, reported in (1978) 3 S.C.C. 504 where distinction was made in respect of commission of 'fault', 'misconduct' and 'habitual neglect of work'. No definite guideline was provided in that case as to what constitute misconduct.

My attention was next drawn to the case of *Rama Kant Misra v. State of U.P.* reported in (1982) 3 S.C.C. (346), where it was laid down that even in cases where misconduct is proved, still then the punishment should not be disproportionately heavy or excessive. In order to avoid charges of vindictiveness, justice, equity and fair play demand that punishment must always be commensurate with the gravity of the offence charged.

My attention was also drawn to the case of *Bhagat Ram v. State of H.P.*, reported in (1983) 2 S.C.C. 442, where also the principle that punishment should be proportionate to the gravity of misconduct was reiterated. It was also held that dismissal on trivial charge of negligence which resulted in no loss to the department was excessive and accordingly improper.

My attention was lastly drawn to the case of *Union of India v. J. Ahmed*, reported in (1979) 2 S.C.C. 286 where it was held that single act or omission or error of judgement would ordinarily not constitute misconduct though if such omission or error results in serious or atrocious consequences, the same may amount to misconduct.

14. I have referred to the different decisions cited by the learned Advocates for the purpose of showing that there is no hard and fast rule in defining a misconduct. While it is generally true that in respect of commission of gravest of offences affecting moral turpitude resulting in loss of faith of the employer upon its employee or causing financial loss of the employer, any other offence of lesser nature should not be considered as a misconduct warranting extreme punishment of dismissal or discharge from service, unless it is proved that the nature of the delinquency has any special element warranting extreme punishment of dismissal. In the instant case, the workman was found guilty of commission of offences of disobedience to carry out the order of his superior and inciting one of his colleagues not to carry out such order and also shouting in the office. The relevant Standing Order, namely, the Standing Orders of the Indian Airlines in its Clause 28 and 29 deal with rules of discipline and rules of conduct and disciplinary procedure. There is nothing like major or minor misdemeanour in the said clause and all actions starting from petty to serious offence have been brought within the fold of the term 'misconduct'. Since Clause 29 provides for different modes of punishment, it is clear that the Standing Order provides for punishment in accordance with the nature of the commission of offence.

15. Here, in this case, the nature of the offence committed by the workman cannot be considered to be of such a nature as to merit extreme punishment of dismissal from service by any stretch of imagination. Mr. Mazumdar, learned Advocate for the management wanted to say that if any subordinate employee disobeys orders of his superior even once or if he incites others not to do such work or shouts in the office that will automatically amount to such grave misconduct as to merit dismissal from service as the management was Indian Airlines and it has to run aeroplanes. There is no evidence in this case as to how the business of running aeroplane was disrupted by the solitary action of not bringing one spare part from stores or inciting a colleague not to carry the Peon Book or shouting in the office. It may be true that on earlier occasion a disciplinary action was taken against the workman which ended in his warning. An old employee working from 1962 and committing such trivial offence cer-

tainly cannot justify any order of dismissal from service by way of punishment. Since the punishment of dismissal inflicted in this case was extremely harsh and excessive compared to the nature of the offence committed, there cannot be any doubt that the management in awarding the punishment acted in a unlawful and illegal manner. The punishment of dismissal has accordingly got to be set aside. The punishment of dismissal from service of the workman is accordingly set aside.

16. Regarding the reliefs to be granted to the workman, it should be remembered that the workman having been found guilty of the commission of the offences which though not very serious as to justify his dismissal from service, still then, he was liable to suffer punishment for commission of such offences. There cannot be any doubt that there was misconduct in terms of Clause 28 of the Standing Order which though not justifies dismissal from service, but still require some punishment to be faced by him. Further, Mr. Mazumder also rightly pointed out that the workman having wasted at least 6 years before the matter was referred to this Tribunal by seeking his relief in wrong forums, he shall not be entitled to back wages for that 6 years as the management has no obligation to pay him anything for his idleness. It is also admitted fact that the age of superannuation of the workman is 58 years. The workman has admittedly completed his 58 years on the expiry of the month of January, 1998. The workman thus having crossed the age of superannuation, no question of his reinstatement in service can arise.

17. In view of the fact that the workman committed offences, I am of the opinion that the management shall withhold his three annual increments from 1986 to 1988 and shall pay him his back wages to the extent of 50% of the same in view of the inordinate delay in moving the Central Government for reference. In doing so, the management shall consider him to be continuing in his service ignoring the order of his dismissal from service and count the same till the date of his superannuation on 31st January, 1998. The management shall also pay the workman all other ancillary and consequential relief which might have been due to him, had he been reinstated in service.

This is my Award.
Dated, Calcutta,
The 23rd April, 1998.

A. K. CHAKRAVARTY, Presiding Officer

नई दिल्ली, 5 मई, 1998

का० आ० 1006.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार म० इस्सार इन्वेस्टमेंट लि० के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण गुवाहाटी के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 5-5-98 को प्राप्त हुआ था।

[सं. एल-30012/66/96-आई आर (सी-I)]

अजय कुमार, अनुभाग अधिकारी

New Delhi, the 5th May, 1998

S.O. 1006.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Guwahati as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Essar Investment Ltd., and their workman, which was received by the Central Government on 5-5-98.

[No. 12012/158/95-आई आर (बी-II)]

AJAY KUMAR Section Officer

ANNEXURE

IN THE INDUSTRIAL TRIBUNAL :
GUHAWATI : ASSAM

REFERENCE NO. 11(C) OF 1997

Present :

Shri J. C. Kalita, B.A (Hons) LL.B., Presiding Officer, Industrial Tribunal, Guwahati.

In the matter of an Industrial Dispute

BETWEEN

The Management of ESSAR Investment Ltd.,
A Contractor of O.N.G.C., Sibsagar.

Vs.

The President, ESSAR (ON-AWAY) Worker's Association, Sibsagar, Assam.

AWARD

The reference arising out of the Govt. notification No. L-30012/66/96-IR(C-I) dt. 8-9-97 relates to the dispute indicated in the schedule below :

"Whether the notice for termination of services of 20 crane operators and the offer of the employer to pay lay-off compensation for the period of their unemployment are justified. If not, to what relief the workers should get?"

On receipt of notice both the parties appeared and filed their written statement before the Tribunal. When the case came up for hearing on 6-4-98 the parties settled the dispute amicably and filed the same before me.

Considering the entire facts it is ordered that the management is to pay lay-off compensation as provided in the Act for the period of lay-off in addition to this lay-off compensation an amount of Rs. 450.00 p.m. be paid.

It is further agreed that if any worker is found absent for less than 15 days in a month he/she will not get the benefit.

The benefit so calculated be paid on or before 6-6-98. Thus this reference is disposed of on compromise.

I given this Award on this 6th April, 1998 under my hand seal.

J. C. KALITA, Presiding Officer

नई दिल्ली, 30 अप्रैल, 1998

का० आ० 1007.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार केनरा बैंक के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नई दिल्ली के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 29-4-98 को प्राप्त हुआ था।

[सं. एल-12012/158/95-आई आर (बी-II)]

सनातन, डैस्क अधिकारी

New Delhi, the 30th April, 1998

S.O. 1007.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Canara Bank and their workmen, which was received by the Central Government on 29-4-98.

[No. L-12012/158/95-IR(B-II)]
SANATAN, Desk Officer

ANNEXURE

BEFORE SHRI GANPATI SHARMA : PRESIDING OFFICER : CENTRAL GOVT. INDUSTRIAL TRIBUNAL : NEW DELHI

I.D. No. 96/96

In the matter of dispute

BETWEEN

Shri Nafe Singh, 96,
Rajendra Park,
Nagloi,
Delhi-41.

Versus

Deputy General Manager,
Canara Bank,
Marshal House,
Hanuman Road,
Connaught Place,
New Delhi.

APPEARANCES :

None for the workman.

Ms. Geetanjali for Sikri & Co. for Management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-12012/158/95-I.R. (B-2) dated 30-9-96/16-10-96 has referred the following industrial dispute to this Tribunal for adjudication :—

“Whether the action of the management of the Canara Bank in terminating the services of Shri Nafe Singh, daily wagers by removing his name from the panel of daily wagers is fair and justified ? If not to what relief the workman is entitled ?”

2. The exparte award has passed against the workman on 6-3-97 but the same was set aside on the application of the workmen. The workman again absented and registered notice was again sent to him but he did not turn up. In view of this situation there is no evidence led by the workman in this case. He had already been proceeded against exparte. I, therefore, order that the action of the management

was fully justified and the workman was not entitled to any relief in this case.

Parties are left to bear their own costs.

6th April, 1998.

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 4 मई, 1998

का.आ. 1008.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सिंडिकेट बैंक के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-II, हैदराबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 01-05-98 को प्राप्त हुआ था।

[सं.एल-12012/87/96-आईआर-(बी-II)]
सनातन, डेस्क अधिकारी

New Delhi, the 4th May, 1998

S.O. 1008.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal-II, Hyderabad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Syndicate Bank and their workman, which was received by the Central Government on 01-05-1998.

[No. L-12012/87/96-IR(B-II)]
SANATAN, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL-II, AT HYDERABAD

PRESENT :

Sri M.E.N. Patrudu, B.Com., B.L., Chairman.

Dated, 15-4-1998

I.D. No. 5/1997

BETWEEN

The Deputy General Secretary,
Syndicate Bank Employees Union,
Near Pragathi College,
Kandaswamy Lane, Hanuman Tekdi,
P.B. No. 275,
Hyderabad-500 002. . Petitioner.

AND

The Assistant General Manager,
Syndicate Bank, Regional Office,
6-3-653, Pioneer House,
Somajiguda, HYDERABAD-500 002.

.. Respondent

APPEARANCES :

Petitioner being called absent.
Sri K. Srinivasa Murthy, Advocate for the Respondent.

AWARD

1. The Dispute is referred by the Ministry of Labour, Government of India vide their Reference No. L-12012/87/96 IR(B-II) to adjudicate 'Whether the action of the Management of Syndicate Bank, Hyderabad is justified in dismissing Shri Ch. Subramanyeswara Sarma, a Clerk with effect from 13-8-93.

2. The reference is received on 15-5-97 and registered on 16-5-97. Notices are issued through Registered Post to both parties to appear on 12-6-97. Notice is not served on the petitioner hence a fresh notice is issued Under Certificate of Posting. Petitioner was called absent till 30-9-97. Respondent Counsel used to be present. The matter is posted finally to 30-9-97 and on the same day the State Secretary of the Union represented the petitioner and requested time to file Claim statement. Thereafter the petitioner was absent and claim statement was not filed. Final notice is ordered to petitioner to appear on 5-2-98. The same is served. Sri Niranjan an advocate filed memo of appearance for petitioner. Time extended for Vakalath and Claim statement. Subsequently neither the petitioner nor his advocate appeared before the Tribunal, though the matter used to be kept aside till evening. Finally the matter is heard and posted for Award. Till now the petitioner did not choose to appear before the Tribunal. The petitioner has neither filed his pleadings nor any documents. The petitioner did not choose to examine any witness in support of his claim. The respondent has not filed any counter and stated that in the absence of petitioner there is no necessity for him to prove his case. The petitioner has failed to agitate his cause. Hence this Nil Award.

3. In the result 'NIL AWARD' is passed.

Written by me and pronounced in the open court on this the 15th day of April, 1998.

M.E.N. PATRUDU, Chairman
Industrial Tribunal-II

APPENDIX OF EVIDENCE

No oral or documentary evidence has been adduced on either side.

नई दिल्ली, 4 मई, 1998

का०आ० 1009.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार आन्ध्रा बैंक के प्रबन्धतंत्र के संबंधित नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में औद्योगिक अधिकरण राउरकेला के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 01-05-98 को प्राप्त हुआ था।

[सं. एल-12012/235/93-आई०आर० (बी-II)]

सनातन, डैस्क अधिकारी

New Delhi, the 4th May, 1998

S.O. 1009.--In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the

Industrial Tribunal, Rourkela as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Andhra Bank and their workman, which was received by the Central Government on 1-5-1998.

[No. L-12012/235/93-IR(B-II)]
SANATAN, Desk Officer

ANNEXURE

IN THE COURT OF THE PRESIDING OFFICER:
INDUSTRIAL TRIBUNAL : ROURKELA

Industrial Dispute Case No. 31/97 (15/94)(C)

Dated, the 9th February, 1998

Present :

Sri R. N. Biswal, LL.M.,
(O.S.J.S. Sr. Branch),
Presiding Officer,
Industrial Tribunal,
Rourkela.

BETWEEN

1. Regional Manager,
Andhra Bank,
5, Satyanagar,
Bhubaneswar 1st party
2. Branch Manager,
Andhra Bank,
Baragarh Branch,
P/O : Baragarh.

AND

Sri Abhimanyu Das,
C/o Shri U. C. Birtia,
UCO Bank, Gudvaga,
Sambalpur ... 2nd party

Appearances :

For the 1st party : Mr. V. Leela Krishna
Personnel Officer.

For the 2nd party : Shri Abhimanyu Das.

AWARD

The Government of India in the Ministry of Labour in exercise of powers conferred by clause (d) of sub-section (1) and Sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 have referred the following disputes for adjudication vide No. L-12012/235/93-IR(B-II) Dated the 24th March, 1994.

"Whether the action of the management of Andhra Bank, Baragarh Branch in terminating the services of Shri Abhimanyu Das, Sub-Staff with effect from 30-11-1991 is justified? If not, what relief, is the said workman entitled to?"

2. In this case, the representatives of both the parties by filing a joint petition along with a memorandum of settlement drawn-up in Form 'H' prays to pass an award in terms thereof. The terms of the settlement are read over and explained to the parties to which they admit to be true and correct. The terms of the settlement being fair are recorded and

an Award to pass in terms thereof which do form part of the Award.

Dictated & corrected by me.

R. N. BISWAL, Presiding Officer

APPENDIX

BEFORE THE HONOURABLE PRESIDING OFFICER INDUSTRIAL TRIBUNAL (C), ROURKELA FORM 'H' MEMORANDUM OF SETTLEMENT

In the matter of I. D. Case No. 31/97(C)

BETWEEN

Name and Address of Parties :

Zonal Manager, Andhra Bank, Zonal Office
Baramunda, Bhubaneswar-751003—1st party
(Management)

Vrs.

Mr. Abhimanyu Das
C/O. Mr. U. C. Bastia,
U.Co. Bank,
At/P.O. Gudvaga,
Dist. Sambalpur.

..2nd Party
(Workman)

Joint Petition by 2nd party and 1st party for an amicable settlement of the dispute as per settlement of the Union with the Management.

TERMS OF SETTLEMENT

1. The 1st party Management agrees to empanel the name of the 2nd party workman in the list of Temporary Employees for casual engagement in the Bank prepared in 'Terms of Bank level settlement dt. 09-01-95' between the Management and the recognised and majority Union of workman.
2. The 2nd party workman relinquishes and agrees to withdraw all his claims before the Honourable Tribunal under I.D. case No. 31/97 (C) and agree to abide by the settlement dt. 09-01-95.
3. The 1st party agrees to extend all the benefits to workman made available under settlement dt. 9-1-95. The 2nd party workman shall only be entitled under the terms of the settlement dt. 9-1-1995 and a copy of settlement is enclosed as annexure 'A' to this settlement.

Therefore, both the parties hereby agree to the above terms and pray the Honourable Tribunal to kindly dispose of the I. D. Case on the above terms of settlement under annexure 'A'.

By the 1st party Management
(P. LAKSHMAIAH)

by the 2nd party Workman
(AVIMANYU DASH)

Witness

1. R. SIVASAILAM
2. Sub Manager
Andhra Bank
ROURKELA

MEMORANDUM OF SETTLEMENT ARRIVED AT U/S 12(3) OF THE INDUSTRIAL DISPUTES ACT, 1947 BEFORE SHRI K. D. R. ACHARY, ASSISTANT LABOUR COMMISSIONER (CENTRAL), HYDERABAD IN HIS OFFICE ON 09-01-1995 BETWEEN THE MANAGEMENT OF ANDHRA BANK, HYDERABAD AND THE ALL INDIA ANDHRA BANK AWARD EMPLOYEES UNION (AIBEA), HYDERABAD IN THE MATTER OF EMPANELMENT AND ABSORPTION OF TEMPORARY CANDIDATES IN SUBORDINATE CADRE.

IN THE PRESENCE OF SHRI K. D. R. ACHARY
ASSISTANT LABOUR COMMISSIONER
(CENTRAL), HYDERABAD

On behalf of the Management

1. Shri K. Narayana Murthy, Deputy General Manager (Staff)
2. Shri A. V. Suryanarayana Rao, Personnel Manager
3. Shri Koka V. Rao, Staff Manager,
4. Shri A. S. Chary, DCO (I.R.), Personnel Department

On behalf of All India Andhra Bank Award Employees' Union

1. Shri L. K. Nagda, President
2. Shri V. Koteswara Rao, Vice President
3. Shri K. Ravindra Babu, Vice-President
4. Shri B. S. R. Mohan Reddy, General Secretary
5. Shri Kamaluddin Surany, Joint Secretary.
6. Shri T. Ravindranath, Joint Secretary.
7. Shri K. M. Jadhav, Treasurer

SHORT RECITAL OF THE CASE

Whereas, Andhra Bank, with its Central Office at Hyderabad (hereinafter called the 'bank') had engaged some candidates on temporary basis in Subordinate Cadre in its branches/offices due to exigencies of work.

Whereas, the All India Andhra Bank Award Employees Union, Hyderabad, a registered union and recognised by the Bank as majority Union (hereinafter called the 'Union') has raised a dispute demanding empanelment & absorption of temporary candidates of the Bank before ALC (Central), Hyderabad.

Whereas some of such temporary candidates have completed 240 days of service in 12 consecutive months and some have been engaged in the vacancies with intermittent break.

Whereas some of the temporary candidates have resorted to legal remedy for empanelment & absorption in the Bank;

And whereas, the Government of India has stipulated certain norms by way of Approach Paper as one time measure to resolve the issue.

A dispute was raised by the All India Andhra Bank Award Employees' Union before the Assistant Labour Commissioner (Central), Hyderabad on the matter vide letter dated 20-10-94. The dispute was admitted in conciliation and discussions were held on 06-12-94, 06-01-95 and finally on 09-01-95. After prolonged discussions, the following terms of settlement have been arrived at to the satisfaction of both the parties before ALC (C) I, Hyderabad.

TERMS OF SETTLEMENT

1. ELIGIBILITY:

All those temporary candidates engaged by the Bank between 01-01-1982 and 31-12-1989 who have responded to the Press Notification of the Bank dt. 28-10-1991 and 31-10-1991 and Circular No. 310 Ref. 3/28 dated 18-10-1991 and who have put in a minimum 'Service' 90 days or more during the above period and whose names are cleared by Directorate General of Employment & Training, Govt. of India, New Delhi under approach paper will be eligible for the benefits under this settlement.

In the case of temporary candidates where litigation is pending as on the date of settlement, the condition that they should have worked only between 01-10-1982 and 31-12-1989 shall not insisted upon, provided they agree to withdraw the court cases and undertake to abide by the terms of this settlement.

2. MAINTENANCE OF SENIORITY PANELS:

All eligible temporary candidates will be empanelled district-wise in accordance with the seniority calculated on the basis of number of days worked in the Bank from 01-01-1982 to 16-12-1991 that is, the last date for submission of applications by the candidates as per press notification and Circular as aforesaid.

In the case of such temporary candidates, where litigation is pending their seniority shall be reckoned on the basis of number of days of temporary service, as on the date of settlement.

If there are more candidates with equal length of temporary service, then the date of birth shall be reckoned, preference being given to a person born earlier for empanelment and absorption.

3. SUPPLY OF SENIORITY PANELS TO THE UNION:

After arriving at the seniority panels as mentioned in clause 2, the name will be supplied to the Recognised Union. Discrepancy, if any pointed by the Union shall be examined.

4. PERIOD OF VALIDITY OF THE PANELS:

It is hereby agreed that the seniority panels prepared under clause 2 shall be valid until all the candidates in the panels are absorbed and in no case shall they lapse.

WITHDRAWAL OF PENDING DISPUTES/CASES

It is hereby agreed that the benefits of this settlement

to candidates whose cases are pending before conciliation officers, Tribunal/Courts shall accrue only on complete withdrawal of such disputes/court cases by the concerned. An undertaking to this effect shall be furnished by such candidates.

6. MEDICAL TEST :

Absorption of a candidate is subject to his/her being found medically fit by the Bank's Doctor.

7. PROCEDURE FOR ABSORPTION OF TEMPORARY CANDIDATES WHO HAVE COMPLETED 240 DAYS OF SERVICE IN 12 CONSECUTIVE MONTHS: Notwithstanding what is contained in Clause 8 (D), all those temporary candidates who have completed 240 days of service in any 12 consecutive months between 01-01-1982 and 16-12-1991 in the Bank shall be absorbed into permanent service of the Bank as and when vacancies are identified by the Bank in the concerned Districts. Such candidates would not be entitled for arrears of wages and back-dated weightage in seniority.

Provided that the absorption of such candidates under this settlement shall be taken up only after absorption of the candidates who are already regularly empanelled at present after being sponsored by the concerned District Employment Exchanges and who have already put in 240 days of service in any 12 consecutive months ending 16-12-1991. For this clause service will include intervening Sundays/Holidays in addition to the temporary service. However, in cases where litigation pending, computation of 240 days of service shall be for any consecutive period of 12 months upto the date of this settlement.

8. PROCEDURE FOR EMPLOYMENT AND ABSORPTION:

In respect of all eligible temporary candidates, the following procedure will be adopted :

- (a) All such candidates, will be interviewed by the Bank, for being empanelled in the seniority panels under clause 2 of the settlement. Rejection if any, shall be only on the basis of proven criminal record, proven misconduct.
- (b) However, candidates so empanelled shall be placed below the candidates, who are already regularly empanelled at present after being sponsored by the concerned Distt. Employment Exchange and interviewed by the Bank. Their absorption shall be considered in that order.
- (c) The bank will engage the services of the empanelled candidates under this settlement alongwith already existing panel candidates. If any, in leave vacancies in their respective districts by rotation for a maximum period of 30 days at a stretch till such time, the scope for their absorption arises.
- (d) Vacancies identified by the Bank in subordinate cadre shall be filled up district-wise in the following manner :
 - (i) Candidates in the regular existing panel as per seniority shall be considered first.

- (ii) Then the candidates from the Seniority List (District-wise) prepared as per this settlement shall be considered
- (iii) If there are no candidates in the panels as per (i) & (ii) above then the identified vacancy shall be notified by the Central Office to all the Controlling Offices in the state in which the vacancy is proposed to be filled in by calling for options from the candidates in the different district panels in the particular state. Such identified vacancies shall then be filled in by drawing up a state-wise panel. Seniority amongst such optees shall however be reckoned on the basis of number of days of temporary service as on 16-12-91. Filling up of vacancy in the aforesaid manner shall however be subject to the other clauses set out in the settlement.
- (c) Absorption of these candidates shall be subject to the rules of Reservation for SC/ST/OBCs etc. as per Government of India policy.
- (f) If any temporary candidates in the panel, on being appointed to a permanent vacancy refuses to accept the offer of appointment his name shall be deleted from the panel.
- (g) Candidates in the panel working temporarily in the bank may be removed from the panels for good and sufficient reasons to be recorded in the writing after giving him an opportunity to explain by the Personnel Manager at Central Office.
- (h) A candidate in the panel fails to report for duty at the branches allotted to work in temporary vacancy, continuously for 3 times within a period of 6 months without giving satisfactory reasons to the Bank, his name shall be removed from the panel.

Appointments to sub-staff cadre under the scheme meant for dependants of deceased employees under compassionate grounds and other approved schemes will continue.

9. EDUCATIONAL QUALIFICATION : Any person who after being engaged by the Bank as temporary sub-staff has acquired higher qualification than what is prescribed under the recruitment rules of the Bank, for the sub-staff shall not be disqualified for absorption in terms of this settlement merely on the ground of his higher qualification. However such candidates are not eligible to be considered for promotion to clerical cadre for a period of 5 years from the date of their absorption.

Further, any person who was possessing higher qualification than what is prescribed for the recruitment of sub-staff as on the date of his initial engagement as temporary sub-staff shall not be disqualified for absorption in terms of this settlement merely on the ground that he has higher qualification. However, he shall not be eligible to be considered for promo-

tion to the clerical cadre for a period of 5 years from the date of his absorption.

10. REMOVAL OF DIFFICULTIES : If any difficulty arises in implementing the settlement, the same will be discussed at the Central Office level by the recognised Union.

11. COMPLIANCE REPORT : Parties to the settlement shall send compliance report on or before 8-4-1995 to the Asstt Labour Commissioner (Central) Hyderabad failing which the terms of Settlement will be deemed to have been implemented fully. Representatives of the Management :

1. K. Narayana Murthy
2. A. V. Suryanarayana Rao
3. Koka V. Rao
4. A. S. Chary

Representatives of the Union :

1. L. K. Nagda
2. V. Koteswara Rao
3. K. Ravindra Babu
4. B. S. R. Mohan Reddy
5. Kamaluddin Surany
6. T. Ravindranath
7. K. M. Jadhav

Witnesses :

1. Shri S. V. Krishna Mohan,
Personnel Officer,
Personnel Department.
2. Shri K. S. Chandrasekhar
Officer,
Staff Department.

Signed this Ninth day of January Nineteen Hundred Ninety Five before me.

Sd/-

K. D. R. Achary
Asstt. Labour Commissioner (Central)
Hyderabad.

नई दिल्ली, 4 मई, 1998

कांआ० 1010.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सिंडीकेट बैंक के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नई दिल्ली के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 01-05-98 को प्राप्त हुआ था।

[सं.पुल-12025/6/94-आई०आर० (बी-II)]

सनातन, डेस्क अधिकारी

New Delhi, the 4th May, 1998

S.O. 1010.—In pursuance of Section 17 of the Industrial Disputes Act 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Syndicate Bank and their workman, which was received by the Central Government on 1-5-1998.

[No. L-12025/6/94-IR(B-II)]

SANATAN, Desk Officer

ANNEXURE

BEFORE SHRI GANPATI SHARMA

PRESIDING OFFICER, CENTRAL
GOVERNMENT INDUSTRIAL
TRIBUNAL, NEW DELHI

I.D. No. 16/95

In the matter of dispute between :
Shri Sukhbir Singh ex-employee,
Syndicate Bank, WZ-431, Basai Darapur,
New Delhi-110015.

Versus

The Assistant General Manager,
I. R. Cell, Syndicate Bank,
Zonal Office, Sarojini House,
6, Bhagwandass Road,
New Delhi-110001.

APPEARANCES :

None for the workman.

Shri Rajesh Mahendru for the Management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-12025/6/94-IR-(B-II) dated 9th January, 1995 has referred the following industrial dispute to this Tribunal for adjudication :—

“Whether the action of the management of Syndicate Bank, Delhi in terminating the services of Shri Sukhbir Singh, Temporary Attender w.e.f.

10-11-1972 is legal and justified? If not, to what relief is the said workman entitled?”.

2. The workman filed his statement of claim in this case. Written statement to the same was also filed by the Management. Thereafter the workman absented himself and did not appear in spite of notices having been sent. Management in support of its case, however filed affidavit of one Mr. M.S. Hebbar MW1 and made his statement on oath also in the court. No evidence was led on behalf of the workman. In view of this situation, the workman having been proceeded against ex parte and the management having produced a responsible officer of the management as its witness alongwith an affidavit I am of the opinion that the action of the management was fully justified. The workman was not entitled to any relief. Parties are, however, left to bear their own costs.

1st May, 1998.

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 6 मई, 1998

का.आ. 1011—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडियन ओवरसीज बैंक के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, मद्रास के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 05-05-98 को प्राप्त हुआ था।

[एल-12012/342/93-आई.आर.-(बी-II)]

सनातन, डेस्क अधिकारी

New Delhi, the 6th May, 1998

S.O. 1011.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Madras as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Indian Overseas Bank and their workman, which was received by the Central Government on 5-5-1998.

[No. L-12012/342/93-IR(B-II)]

SANATAN, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL,
TAMIL NADU, CHENNAI

Wednesday, the 22nd day of April, 1998

PRESENT :

THIRU S. ASHOK KUMAR, M.Sc., B.L.,
Industrial Tribunal.

INDUSTRIAL DISPUTE NO. 109 OF 1994

(In the matter of dispute for adjudication under section 10(1)(d) of the Industrial Disputes Act, 1947 between the workman and the management of Indian Overseas Bank, Central Office, Madras-2.).

BETWEEN

Thiru N. Mani,
1st Block,

No. 8, Kesavalillei Park,

Demellows Road, Madras-600 012.

AND

The General Manager (Pers.),
Indian Overseas Bank,
Central Office, Madras-600 002.

REFERENCE :

Order No. L-12012/342/93-IR(B-II),
dated 24-3-1994 of the Ministry of
Labour, Government of India, New
Delhi.

This dispute coming on this day for final disposal, in the presence of Thiruvalargal S. Kanniah and K. Selvaraj, advocates appearing for the management, upon perusing the reference, claim and counter statements and other connected papers on record and the workman being absent, this Tribunal passed the following.

AWARD

This is a reference made by the Government of India, for adjudication of the following issue :—

“Whether the action of the management of Indian Overseas Bank, Madras in removing Shri N. Mani, Sub-Staff, from service with effect from 19th November, 1990 is justified? If not, what relief is the said workman entitled to?”.

Petitioner absent. No representation. Dismissed for default.

Dated, this 22nd day of April, 1998.

THIRU S. ASHOK KUMAR, Industrial
Tribunal.

नई दिल्ली, 30 अप्रैल, 1998

का०आ० 1012:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, सेंट्रल वेयर हाउसिंग कॉर्पोरेशन के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 29-4-98 को प्राप्त हुआ था।

[संख्या एल-42011/1/92-आई०आर० (मिस)]

पी०जे० माईकल, डेस्क अधिकारी

New Delhi, the 30th April, 1998

S.O. 1012.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Central Warehousing Corporation and their workman, which was received by the Central Government on 29-4-98.

[No. L-42011/1/92-IR (Misc.)]

P. J. MICHAEL, Desk Officer

ANNEXURE

BEFORE SHRI GANPATI SHARMA,
PRESIDING OFFICER, CENTRAL
GOVERNMENT INDUSTRIAL
TRIBUNAL, NEW DELHI

I.D. NO. 18/93

In the matter of dispute between :
Shri Amarjeet Singh & 8 others
through the General Secretary,
Central Warehousing Corp. Workers' Union,
309, 3rd Floor, 92, Deepali,
Nehru Place, New Delhi-19

Versus

The Manager (Personnel),
Central Warehousing Corporation,
4/1, Siri Fort Industrial Area,
Hauz Khas, New Delhi-16.

APPEARANCES :

None for the workman.

Shri Kulbhushan for the Management

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-42011/192-IR(Misc) dated 3/2/93--12-2-93 has referred the following industrial dispute to this Tribunal for adjudication :—

“Whether the action of the management of CWC in not giving equal pay for equal work to the following nine workmen is justified? If not, to what relief the workmen are entitled to?”

- (1) S/Shri Amarjeet Singh
- (2) Jag Mohan
- (3) Shri Birender Singh
- (4) Shri Parmod Kumar Pandey
- (5) Dalbir Singh
- (6) Sh. Israr Ahmed
- (7) Sh. Sham Mugam
- (8) Sh. Babu Singh
- (9) Shri Om Prakash.

2. The workman was proceeded against exparte in this case on 3-10-94 and did not appear. He filed an application for setting aside exparte proceedings which was allowed but the workman again absented on 20-11-1995 and was proceeded against exparte. He filed another application for setting aside exparte order to which reply was obtained from the management but he again absented from 13-5-96 not to appear thereafter.

3. In view of this situation the management had examined the witness B. B. Patnaik, Personnel Manager MW1. There is no evidence produced on behalf of the workman. Rather he was proceeded against exparte three times. In view of the points submitted by the management representative in its written arguments accompanied with the affidavit of the management witness, I am of the opinion that the action of the management was fully justified and the workman was not entitled to any relief. Parties are, however, left to bear their own costs.

7th April, 1998.

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 30 अप्रैल, 1998

का०आ 1013.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नेशनल ब्यूरो ऑफ प्लान्ट जेनेटिक रिसोर्सेस के प्रबन्धन के संबंध में नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 29-4-98 को प्राप्त हुआ था।

[संख्या एन-42011/66/95-आई.आर. (डी.यू.)]
पी०जे० माईकल, डेस्क अधिकारी

New Delhi, the 30th April, 1998

S.O. 1013.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of National Bureau of Plant Genetic Resources and their workman, which was received by the Central Government on the 29-4-1998.

[No. L-42011/66/95-IR(DU)]

P. J. MICHAEL, Desk Officer

ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NEW DELHI

I. D. No. 90/96

In the matter of dispute between :

Shri Nawal Kishore Mehta
Represented by
Bhartiya Krishi Karamchari Sangh (Regd.),
C/o E-26 (Old Qtr), Raja Bazar,
Baba Kharak Singh Marg, New Delhi.

Versus

National Bureau of Plant Genetic Resources
through its Director, Pusa, Campus, New
Delhi-110012.

APPEARANCES :

Shri B. K. Prasad for the workman.
None for the Management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-42011/66/95-I.R.(D.U.) dated 30-8-1996 has referred the following industrial dispute to this Tribunal for adjudication :—

“Whether the action of the management of National Bureau of Plant Genetic Resources in withholding the increment and not giving promotion to Shri Naval Kishore Mehta is proper, legal and justified? If not, to what relief the workman is entitled?”

2. The workman in his statement of claim alleged that he joined the employment of the management in 1979 in the scale of Rs. 1400—2300 and was working as Senior Clerk at present. He had been representing the other workmen in the Joint Council of National Bureau of Plant Genetic Resources and also in the Grievance Cell of the management. Due to his active participation in the Trade Union Management was not happy with him. A memo containing imputation of misconduct and misbehaviour was served on him on 21-4-1992. He replied to the same and denied the allegations levelled against him. The management without hearing the enquiry and the alleged misconduct imposed the penalty of withholding three increments as confidential report was also re-

recorded by Shri Sujan Singh Administrative Officer who had made the false allegations of misconduct and adverse entries were made therein. He was also not given the promotion from Senior Clerk to Asstt. because of the said advertants. His juniors were given the promotion. The with-holding of the three increments and denial of promotion to the workman w.e.f. the date of his next junior was promoted was illegal, had unjust and against the principles of natural justice. He has prayed that the order of with-holding of increments he quashed and he be promoted to the post of Asstt. w.e.f. 6-8-1992.

9. The Management had put in their appearance on 29-10-1996 but did not appear on the next date i.e. 5-11-1996 or 10-12-1996. The Management was served with a registered notice for appearance on 10-12-1996 but nobody appeared and was thus proceeded against ex parte.

4. The workmen filed his affidavit in support of his evidence and also confirmed the contents of affidavit on oath in statement Ex. WW1.

5. I have heard the representative for the workman and have gone through the record. Since the management did not care to appear in this case inspite of a registered notice having been sent to them so the record contains only the documents filed by the workman and his affidavit. There is no reason to disbelieve statement of the workman made on oath supported by this affidavit. In view of this situation I am of the opinion that the order of imposing punishment upon him and punishment of with holding three increments of him was not justified. There is no evidence to believe his statement regarding the promotion denied to him. I, therefore, quash the order imposing punishment of three increments upon the workman and also order his promotion as Assistant w.e.f. 6-8-1992 in the scale of Rs. 1400—2300 ex parte against the management.

Parties shall bear their own costs.

7th April, 1998.

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 30 अप्रैल, 1998

का०आ० 1014 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इन्स्ट्रुमेंट रिसर्च एंड डेवेलपमेंट के प्रबन्धन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट, औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नई दिल्ली के पञ्चाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 29-4-98 को प्राप्त हुआ था।

[संख्या एल-42012/98/93-आई.आर. (डी यू.)]

पी०जे० माईकल, डेस्क अधिकारी

New Delhi, the 30th April, 1998

S.O. 1014.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the

Central Government Industrial Tribunal, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Instrument Research and Development and their workman, which was received by the Central Government on the 29-4-1998.

INo. L-42012/98/93-IR (DU)1

P. J. MICHAEL, Desk Officer

ANNEXURE

BEFORE SHRI GANPATI SHARMA : PRESIDING OFFICER : CENTRAL GOVT. INDUSTRIAL TRIBUNAL : NEW DELHI

I.D. No. 70/94

In the matter of dispute between :

Shri Chotey Lal S/o Shri Lachman through Shri Lalit Prasad Yadav, Block No. 53, House No. 9, Ordnance Factory Estate, Raipur, Dehradun-248001.

VERSUS

Director, Instrument Research & Development Establishment, Raipur, Dehradun-248001.

APPEARANCES :

None for the parties.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-42012/98/93-IRD(D.U.) dated 20-6-1994 has referred the following industrial dispute to this Tribunal for adjudication :

“Whether the action of the management of Instruments Research and Development Establishment (I.R.D.E.) in retiring the workman Shri Chotey Lal S/o Shri Lachman on 28-2-1979 before his actual date of retirement on 28-2-1991 is legal and justified ? If not, what relief the workman is entitled to ?”.

2. The workman in his statement of claim has alleged that he was appointed as a Farm Hand (Gawala) in Military Dairy farm Meerut on 5-2-1959 and was given temporary appointment in the Military Dairy Farm. The applicant was an illiterate person and examined by Medical Officer at Meerut who recorded his age as 40 years stated by him as 32 years and from appearance 40 years. Though the date of birth of an illiterate person should be entered as per horoscope or municipal birth register if available. Since there was no scientific assessment of his age so the same was recorded wrongly. Age per record at that stage was 35 years for the job he was taken. He was declared surplus and was given appointment as labourer in Instrument and Research Development Establishment Dehradun on 8-2-1960. In the year 1963 it revealed to the applicant that his date of birth was recorded as 5-2-1919 and he then made representation that it was recorded wrongly. No correction in the age was made inspite of protest. The workman

continued making search of his birth certificate and on 27-2-1977 he could lay his hands on the entry in the birth certificate of the cantonment board Meerut where male child was shown as born on 18-2-1931 to one Lachman. After having obtained the copy of that certificate he requested for change of the date of birth in the record from 5-2-1919 to 10-2-1931 but the same was still not accepted by the authorities. He was retired on 28-2-1979 though he was due to retire on 28-2-1991 as per age proof and even after retirement he made several representations to the management but to no effect. He has urged that his date of birth may be corrected and he be declared to have retired in 1991 and not 1979 as alleged.

3. The Management in its written statement denied the allegations of the workman and alleged that the age of the workman as the time of his recruitment was correctly recorded by the doctor and at that time he was shown as having been born on 5-2-1979 on the basis of his appearance. He could not produce any certificate at that time nor later till 1977. He had continuously accepted his date of birth as 5-2-1919 and had been working throughout with the management with this date. There was no question of correction of his age at this stage as he has since retired.

4. The Management examined Shri L. D. Vashisht MW1 while the workman himself appeared as WW1.

5. I have heard representatives for the parties and have gone through the record. They have both reiterated what was stated in their respective pleadings and written arguments.

6. On careful perusal of the points urged before me by the representatives for the parties the sole question for decision in this case was as to what was the actual date of birth of the workman. The cross-examination of the workman himself was very interesting in this case. Workman has admitted that he was married at the age of 13 years and the age of his wife at that time was 12 years. A son was born to him just after two years and another child was born to him thereafter. He has himself admitted his age at present between 65 to 70 years. It cannot be believed that a person of the age of 15 years and a girl of 14 years could deliver a child. Moreover, the silence of the workman since 1959 upto 1977 was a fact important which goes against the workman. He has admitted that he did not know what was written in his affidavit as the same was prepared by advocate and he did not ask his advocate to read him out the contents of the said affidavit. Similarly he has signed before the doctor twice when he was medically examined in 1959 but at that time also he had also not asked the Doctor to read out what was written under his signatures. No other evidence corroborative to the certificate of the Cantonment Board of Meerut has been produced. The certificate does not prove in any way the fact that Lachman named therein was the father of the workman and this certificate relates to the workman in question only. It has also not been proved that he was the eldest of the children of Lachman by any other corroborative evidence. On

3rd of April, 1978 the workman was informed by the Management that he would retire w.e.f. 28-2-1977 on the basis of his date of birth being 5-2-1919 on the basis of my discussion above, I am of the opinion that the date of birth as recorded back in 1959 was correct and the workman having since retired long ago cannot be allowed to change his date of birth at this stage particularly after 19 years. He was not entitled to any relief under the circumstances discussed above. The reference is answered accordingly and parties are left to bear their own costs. 27th April, 1998.

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 30 अप्रैल, 1998

कां० 1015 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सी०पी०डब्ल्यू०डी० के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 29-4-98 को प्राप्त हुआ था।

[संख्या एल-42012/191/90-आई.आर. (डी यू)]

पी०जे० माईकल, डेस्क अधिकारी

New Delhi, the 30th April, 1998

S.O. 1015.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Central Public Works Department and their workman, which was received by the Central Government on 29-4-98.

[F. No. L-42012/191/90-IR(DU)]

P. J. MICHAEL, Desk Officer

ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL, NEW DELHI

I.D. No. 111/91

In the matter of dispute between:

Shri Raj Kumar s/o Shri Ratan Singh, Mali posted at Pira Gari Nursery, Horticulture Department, as represented by the Delhi Labour Union, Aggarwal Bhawan, G.T. Road, Tis Hazari, Delhi-110054.

Versus

The Management of Central Public Works Department through its Engineer-in-Chief, Nirman Bhawan, New Delhi.

APPEARANCES:

Shri C. F. Aggarwal— for the workman.

None—for the Management.

AWARD

The Central Government in the Ministry of Labour vide its order No. L-42012/191/90-IR(DU) dated 25-9-91 has referred the following industrial dispute to this Tribunal for adjudication.

“Whether the action of the management of Chief Engineer, C.P.W.D., New Delhi in not regularising Shri Raj Kumar Mali w.e.f. 4-7-1984 is justified? If not, what relief he is entitled to and from what date?”

2. The applicant workman in his statement of claim alleged that he joined employment of the management in its Horticulture Department on 3-7-84 as Mali. Since then he was being treated as daily rated[muster roll]casual worker and was being paid wages as fixed and revised from time to time under the minimum wages act while his counter parts were being treated as regular employees. The workman were being paid wages in the pay scale of Rs. 196-232. The said scale has since been revised to 750-940 w.e.f. 1-1-86. The regular employees were enjoying all the benefits while he was being denied both these benefits. He has been continuously working since the said date and regularisation of his services has not been done by the management which was in itself illegal, unjust and mala fide. He has prayed that he may be ordered to be regularised after completing 240 days.

3. The Management in this case was served and copy of the application was supplied to it but after having received the copy management did not appear and again a registered notice was sent to the management twice but no body cared to appear. The management was thus ordered to be proceeded against exparte.

4. The workman in support of his exparte evidence appeared himself as WW 1 and filed affidavit Ex. WW 1/1.

5. I have heard representative for the workman and have gone through the record.

6. Management inspite of having been served and putting their appearance once failed to appear in spite of registered notice having been sent to them. The statement of the workman on oath accompanied by his affidavit clearly establish that the workman was working w.e.f. 3-7-1984 as a muster roll employee the management. The workman representative has brought to my notice the Model Standing orders for casual labour for the Central Government Undertakings which require the management to regularise services of a casual labour after completion of 240 days in this case. The workman Raj Kumar has already completed 240 days of service as per record produced by him. He, therefore, was justified in asking for his regularisation. Since no written statement has been filed by the management nor any evidence led as they had been proceeded against exparte for having appeared once. I am of the view that the case of the workman stands on sound footings. He has undoubtedly completed 240 days of regular service and, therefore, according to standing orders of the management he was entitled to be regularised

after completion of 240 days and also entitled to all other benefits which a regular employee was getting. I, therefore, order that the workman be regularised after completion of 240 days of regular employment from the date it became due and he shall also be paid and given all other benefits as are available to a regular employee of his cadre. Parties are, however, left to bear their own costs. The reference is answered accordingly.
28th April, 1998.

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 30 अप्रैल, 1998

का.आ. 1016 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेन्ट्रल ऑर्गेनाइजेशन फार मोडर्नाइजेशन आफ वर्कशॉप, नई दिल्ली के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-4-98 को प्राप्त हुआ था।

[संख्या एल-41011/20/92-आई०आर०(बी० I)]
पी.जे. माईकल, डेस्क अधिकारी

New Delhi, the 30th April, 1998

S.O. 1016.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Central Org. for Modernisation of Workshops, New Delhi and their workman, which was received by the Central Government on 30-4-1998.

[No. L-41011/20/92-IR (B. I.)]
P. J. MICHAEL, Desk Officer.

ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NEW DELHI.

I. D. No. 49/93.

In the matter of dispute :

BETWEEN :

Shri Kanwar Singh Negi and others through the Bhartiya Railway CFMOW Mazdoor Sangh (Regd.) Ram Naresh Bhavan, Tilak Gali, Chuna Mandi, Pahar Ganj, New Delhi-110056.

Versus

1. The Chief Administrative Officer,
Central Organisation for Modernisation of

Workshops (COFMOW), Tilak Bridge,
New Delhi-110002.

2. The General Manager,
Northern Railway,
Hd. Qrs. Office,
Baroda House,
New Delhi.
3. The Union of India through
Secretary, Railway Board,
Ministry of Railways,
New Delhi-110001.

APPEARANCES :

Shri S. K. Sawhney for the workman.
Shri H. L. Nanda for the Management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. 1-41011/20/92-I.R. (D.U.), dated 6/21-7-1993 has referred the following industrial dispute to this Tribunal for adjudication :—

"Whether the action of the management of Northern Railway in not screening and employing on regular basis the temporary unskilled workmen employed in COFMOW an establishment of Indian Railways is justified? If not, what relief the concerned workmen are entitled to?"

2. The brief facts of this case as stated in the statement of claim was that the Central Organization For Modernization of Workshop (COFMOW) Indian Railways was established in 1978. The Officers and class III workers for COFMOW were taken on deputation from various railways and production units, while stenographer/typists and class IV Khalasis were directly recruited on ad-hoc and casual basis.

3. By an order of the Hon'ble Supreme Court all casual Khalasis got temporary status w.e.f. 1-1-1983 and 1984 and vide railway board letter dated 11-9-1986 Deputy Director Establishment vide his letter dated 1-8-1984 ordered that these workers may be absorbed in the Northern Railway and as such the temporary workers of COFMOW were pooled-up with the workers of Delhi Division of the Northern Railway. The Railway Ministry issued circular from time to time for regularisation and welfare of the Khalasis and casual labour and also the employee of COFMOW demanded for regularisation of their casual labour. But no heed was paid to their demand by the authorities. The regularisation and screening for these casual employees was left in abeyance though they had put in 14 years service in the Railways. Employees having lessor days of work were sent for regularisation and screening by the management which was unlawful and arbitrary. It was prayed in the prayer clause of this statement of claim that the screening and regularisation be done immediately though the same was due in the year 1986 and the regularisation of the employees be done.

4. The Management in its written statement besides preliminary objections regarding maintainability of this reference and other legal issues be alleged that the Organisations COFMOW was a temporary work charge railway office and the posts in this organisation are created on work charge against sanctioned estimates on year to year basis. Most of the staff in this Organisation have been provided from Zonal Railways. Production Units etc. i.e. from Regular Railway Establishments. None of the staff so drafted is on deputation terms. However, some of the Group-C staff in the category of Steno/Typists were recruited directly on ad-hoc basis with the prior permission of the railway board as regular staff in these categories were not rightly available from any other railway office. Similarly most of the group 'D' staff had to be engaged illegally as casual labour on daily basis. The orders issued by the Hon'ble Supreme Court in the judgment referred in the statement of claim temporary status to project casual labour was granted immediately when they became eligible for the same. There was no violation of the order of the Hon'ble Supreme Court. In view of refusal by senior casual labour, options were called for from all casual labours. Based on these options, 24 casual labours were already posted to Delhi Division and have since been screened and the claim of the Union was not justified.

5. Management in support of its evidence examined Shri Ranjit Khosla M-W 1. During the period the screening was done but objected on by the workman union being not fair. The Management filed an application stating therein that out of 69 casual staff of COFMOW who were screened and empanelled for regularisation as CW safaiwala 62 have since been regularised w.e.f. 15-3-1995 on having been declared medically fit in B-1 category. Out of 62 casual staff so regularised 27 have since been posted in CMW Department of Delhi Division and the remaining 350 on listed in the annexure who were still working in COFMOW have been given lien in the CNW Department for Delhi Division. The remaining casual staff out of 69 have been declared medically unfit in B-1 category as these casual sub-staff are fit in the lower medical standard i.e. C-2 category, 3 of them have been alternatively posted in Parliament Catering under Northern Railway as Khalasis, the remaining four casual staff are being absorbed alternatively against suitable post. In support of this the management was permitted to file an affidavit and the affidavit of one Shri S. B. Malik, Dy. Chief Mechanical Engineer was filed purported what was alleged in this application. It was prayed in the application that the demands of the workman have since been settled and the reference, therefore, stood fully satisfied.

6. I have heard representatives for the parties and in view of the submissions made by the management in its letter dated 22-3-1996 and the affidavit filed in support thereof, I am satisfied that the reference has since been fully settled. The Management has already screened and given regular appointments to the temporary unskilled workman so no dispute was existing between the parties at this stage. I, therefore, am of the opinion that the dispute has since been settled and there exists no dispute between the parties for which this reference was made. The m-

ference is answered accordingly. Parties are left to bear their own costs of this dispute.

28th April, 1998.

GANPATI SHARMA, Presiding Officer.

नई दिल्ली, 1 मई, 1998

का०आ०1017:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सेन्ट्रल रेलवे के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निश्चित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कम-लेबर-कोर्ट, जबलपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-4-98 को प्राप्त हुआ था।

[संख्या एल-41012/67/88-डी-2(बी)/बी० 1]

पी०जे० माईकल, डेस्क अधिकारी

New Delhi, the 1st May, 1998

S.O. 1017.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal-Cum-Labour Court, Jabalpur (M.P.) as shown in the Annexure in the industrial dispute between the employers in relation to the management of Central Railway, Jabalpur (M.P.) and their workman, which was received by the Central Government on 30-4-98.

[F. No. L-41012/67/88-D-2 (B)/B. I.]

P. J. MICHAEL, Desk Officer.

अनुबंध

केन्द्रीय औद्योगिक अधिकरण एवं श्रम न्यायालय,
जबलपुर म. प्र.

डी.एन. दीक्षित

पीठासीन अधिकारी

प्र. क्र. सीजीआईटी/एलसी/प्रार/228/89

श्री संतोषकुमार

आत्मज जुगलकिशोर

द्वारा : एच. एस. सामदेव,

मदरवाड़ा, होशंगाबाद (म. प्र.)

... प्रार्थी

विरुद्ध

मंत्रालय रेल प्रबंधक,

मध्य रेलवे, जबलपुर म. प्र.

... प्रतिप्रार्थी

अर्थात्

दिनांकित : 4 मार्च 1998

1. भारत सरकार, श्रम मंत्रालय, नई दिल्ली ने अपने आदेश सं. एन-41012/67/88-डी-2 (बी) दिनांक 2-11-89 के द्वारा निम्नलिखित विवाद निराकरण हेतु इस अधिकरण को भेजा है:—

अनुसूची

“क्या प्रबंधन मध्य रेलवे, जबलपुर (मप्र) द्वारा श्री संतोषकुमार आत्मज श्री जुगलकिशोर एक्स ट्रांजिमेंट की सेवाएं दिनांक 28-10-83 से समाप्त करने की कार्यवाही न्यायोचित है। यदि नहीं, तो संबंधित कर्मकार किस अनुसूची का हकदार है।”

2. श्रमिक श्री संतोषकुमार के अनुसार वह दि. 25-6-80 से 18-8-80 तक केजुअल खलासी, ब्रिज इमपेक्टर, मध्य रेलवे, जबलपुर में रहा। इसके पश्चात् 19-8-80 से 18-11-80, 23-11-80 से 18-3-81, 23-3-81 से 18-4-81 तक मध्य रेलवे में पी. डब्ल्यू. आई. के अंतर्गत कार्य किया। दिनांक 19-6-81 को उसे ट्रांजिमेंट नियुक्त किया गया और दमोह में उसकी पदस्थापना की गई। इस पद पर श्रमिक ने 18-4-83 तक काम किया। इसके बाद 23-4-83 से 28-10-83 तक उसने पुनः काम किया। दि. 28-10-83 को उसकी सेवाएं बिना नोटिस के समाप्त कर दी गई। श्रमिक को छटनी मुआवजा नहीं दिया गया। श्रमिक ने रेलवे अधिकारियों को बहुत बार सेवा में वापस लेने का निवेदन किया, किन्तु श्रमिक की प्रार्थना नहीं सुनी गई। प्रबंधन के पास बहुत से पद हैं और उनमें से किसी में भी श्रमिक को रखा जा सकता है। श्रमिक चाहता है कि उसे पुनः सेवा में लिया जाए और सेवानिवृत्ति की दिनांक से अभी तक सभी वेतन और भत्ते दिलाए जाएं।

3. प्रबंधन के अनुसार श्रमिक ने 25-6-80 से 18/8/80 तक रुक-रुक कर कई बार केजुअल लेबर के रूप में ब्रिज इंसपेक्टर के साथ काम किया है। दिनांक 19-8-80 से 18-6-81 तक श्रमिक ने मध्य रेलवे में पी. डब्ल्यू. आई. के साथ रुक-रुक कर काम किया है। एग्जिस्टेंट इंजीनियर (ब्रिज), जबलपुर ने श्रमिक को दिनांक 19-6-81 से 18-4-83 तक काम दिया। बजट में संकशन न होने से 18-4-83 को श्रमिक को काम से अलग किया गया। इस समय श्रमिक को छटनी मुआवजा दिया गया था। इसके पश्चात् दिनांक 23-1-83 को श्रमिक को पुनः काम पर लिया गया और उसने 28-10-83 तक काम किया। श्रमिक को छटनी मुआवजा रुपये 444/— 18-4-83 को दिया जा चुका था। इसके पश्चात् उसने 240 दिन काम नहीं किया। इसलिए दूसरी बार उसे छटनी मुआवजा पाने का अधिकार नहीं है। श्रमिक केजुअल लेबर था और रेलवे का अस्थायी कार्यचारी नहीं था। श्रमिक किसी प्रोजेक्ट में काम नहीं कर रहा था। प्रबंधन चाहता है कि श्रमिक की सेवा समाप्ति विधिवत है और इसमें हस्तक्षेप की आवश्यकता नहीं है।

4. श्रमिक को कोई नियुक्ति पत्र नहीं दिया गया। श्रमिक ने स्वीकार किया है कि उसे छटनी मुआवजा रुपये 444/— दिए गए हैं। श्रमिक ने यह भी स्वीकार किया कि

उसे 23-4-83 को फिर से काम दिया गया, जो उसने दिनांक 27-10-83 तक किया है। दिनांक 28-10-83 को पूरी रंग को गवा से अलग किया गया। ऐसा इसलिए किया गया, क्योंकि कार्य खत्म हो गया था।

5. दिनांक 18-4-83 को जब श्रमिक को नौकरी में हटाया गया, तब उसे छठनी मुआवजा रुपये 444/- दिया गया है। यह तथ्य श्रमिक ने स्वीकार किया है। इस प्रकार अब विवाद यह है कि श्रमिक ने रेलवे में कार्य 23-4-83 ने 27-10-83 तक किया है। उसके एवज में क्या वह नोटिस पाने या मुआवजा पाने का अधिकारी है। काम की अवधि 188 दिन होती है। ऐसी स्थिति में श्रमिक को नौकरी से बाहर करने से पहले नोटिस देने की या छठनी मुआवजा देने की आवश्यकता नहीं है। विशेष रूप से जब कि श्रमिक ने स्वयं स्वीकार किया है कि वे जिस रंग में काम करता था उनमें सभी को सेवा से पृथक् कर दिया गया था।

6. अर्वाह दिया जाता है कि श्रमिक संतोषकुमार की सेवाएं दिनांक 28-10-83 से समाप्त करने की कार्यवाही न्यायोचित है तथा इसमें हस्तक्षेप की आवश्यकता नहीं है। दोनों पक्ष इस प्रकरण का अपना-अपना व्यय वहन करें।

7 अर्वाह की प्रतियां नियमानुसार भारत सरकार, श्रम मंत्रालय, नई दिल्ली को प्रेषित की जाती हैं।

डी. एन. दीक्षित, पीठासीन अधिकारी

नई दिल्ली, 1 मई, 1998

का. आ. 1018.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार झबुआ धार क्षेत्रीय ग्रामीण बैंक, झबुआ (म. प्र.) के प्रबंधन के संबंध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-कम-लेबर-कोर्ट, जबलपुर, एम. पी. 1 के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-4-98 को प्राप्त हुआ था।

[संख्या एल-12012/16/93—आई. आर. (बी. I)]

पी. जे. माईकल, डेस्क अधिकारी

New Delhi the 1st May, 1998

S.O. 1018.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur (M.P.) as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Zhabua Dhar Kshetriya Gramin Bank, M.P. and their workman, which was received by the Central Government on 30-4-98.

[No. L-12012/16/93-IR(B.I.)]

P. J. MICHAEL, Desk Officer

1251 GI/98--11

अनुबंध

केन्द्रीय औद्योगिक अधिकरण एवं श्रम न्यायालय, जबलपुर
म. प्र.

डी. एन. दीक्षित,

पीठासीन अधिकारी

प्र. क्र. सीजीआईटी/एलसी/आर/77/93

श्री अनिल कुमार जैन,

63, जवाहर मार्ग, जोबट

पोस्ट : जोबट-457 990

जिला झबुआ (म. प्र.)

विरुद्ध

...प्रार्थी

अध्यक्ष,

झबुआ-धार क्षेत्रीय ग्रामीण बैंक,

प्रधान कार्यालय, आनंद भवन,

डी. आर. पी. लाइन के पास,

झबुआ-457 661 (म. प्र.)

...प्रतिप्रार्थी

अर्वाह

दिनांक : 31-03-1998

1. भारत सरकार, श्रम मंत्रालय, नई दिल्ली ने अपने प्रदेश संख्या : एल-12012/16/93-आई. आर. (बी-I) दिनांक 7-4-93 के द्वारा निम्नलिखित विवाद निवारण हेतु इस अधिकरण को भेजा है :—

अनुसूची

“Whether the action of the management of Jhabua Dhar Kshetriya Gramin Bank in terminating the services of Shri Anil Kumar Jain w.e.f. 5-10-1990 is legal and justified? If not, to what relief the workman is entitled to and from which date?”

2. श्रमिक के अनुसार उसकी नियुक्ति झबुआ-धार क्षेत्रीय ग्रामीण बैंक में लिपिक के पद पर दिनांक 7-6-84 को हुई। इन्हें बैंक ने दिनांक 5-10-90 को सेवा से निकाल दिया। श्रमिक के विरुद्ध विभागीय जांच हुई थी। इस जांच में जो आरोप लगाए गए वे स्पष्ट नहीं थे। जांच से पहले श्रमिक से स्पष्टीकरण नहीं लिया गया। जांच अधिकारी ने गवाहों के कथनों की गलत विवेचना की। गवाहों ने श्रमिक की कोई शिकायत नहीं की। श्रमिक के कथन जांच अधिकारी ने नहीं लिखे। श्रमिक को बचाव के अवसर नहीं दिए। जांच रिपोर्ट द्वेषपूर्ण है। जांच अधिकारी के निष्कर्ष साक्ष्य और तथ्यों के विपरीत हैं। श्रमिक चाहता है कि उसे पुनः सेवा में लिया जाए और सभी वेतन और भत्ते दिए जाएं।

3. प्रबंधन के अनुसार ऐसे 23 प्रकरण प्रकाश में आए, जिसमें श्रमिक ने बैंक के ग्राहकों से नकद रुपये प्राप्त किए, किन्तु बैंक में जमा नहीं किया। जो रुपये प्राप्त किए, उनका उल्लेख ग्राहकों की पास-बुक में किया। बिना अनुमति के छुट्टी पर चले जाते हैं। बैंक के लेखों में जालसाजी की।

श्रमिक ने बैंक के हितों को क्षति पहुंचाई। विभागीय जांच में श्रमिक को सभी लेखों की नकलें तथा पूर्ण अवसर दिया गया। जांच अधिकारी ने निर्विवाद और मौखिक साक्ष्य के आधार पर उचित निष्कर्ष निकाला है। श्रमिक ने बैंक के कर्मचारी के रूप में ग्राहकों के साथ और बैंक के साथ धोखा धड़ी की, इस कारण उसे सेवा से पृथक् किया गया। श्रमिक को उसके कदाचरण के अनुरूप ही दण्ड दिया गया है।

4. इस अधिकरण ने दिनांक 25-4-96 को यह पाया है कि जांच विधिवत की गई है और श्रमिक को उचित अवसर जांच में दिया गया है। श्रमिक ने पूरी जांच में भाग लिया है तथा सक्रियता से जांच में उपस्थित रहा है। यह पाया गया कि विभागीय जांच नियमों के अनुसार, उचित है और वैधानिक है।

5. विभागीय जांच में जो गवाह प्रबंधन ने प्रस्तुत किए, उनसे यह सिद्ध हो जाता है कि श्रमिक ने ग्राहकों से धनराशि प्राप्त की, किन्तु यह राशि बैंक के लेखों में जमा नहीं की। इस प्रकार के ग्राहकों के नाम हैं, भूरिया, कमिया, प्रेमलता, मानसिंह, गीताबाई, मलमाबाई आदि।

6. श्रमिक बिना सूचना के अनुपस्थित रहते थे और यह भी विभागीय जांच का आरोप था। प्रबंधन ने सिद्ध कर दिया कि श्रमिक ने जानबूझकर बैंक को नुकसान पहुंचाया और स्वयं लाभ अर्जित किया।

7. जो आरोप श्रमिक के विरुद्ध सिद्ध हुए, उनमें सेवा से पृथक् करना उचित दण्ड है।

8. मैं पूर्णरूप से विभागीय जांच के निष्कर्ष तथा श्रमिक को दिये गये दण्ड की पुष्टि करता हूं। अर्वाइ दिया जाता है कि श्रमिक को उचित दण्ड दिया गया है। दोनों पक्ष इस प्रकरण का अपना-अपना व्यय वहन करें।

9. नियमानुसार अर्वाइ की प्रतियां भारत सरकार, श्रम मंत्रालय, नई दिल्ली को प्रेषित की जाती हैं।

डी. एन. दीक्षित, पीठासीन अधिकारी

नई दिल्ली, 4 मई, 1998

का.आ. 1019.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ए.एन. जैड. ग्रिडलेस बैंक, नई दिल्ली के प्रबंधन के संबंधित नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचपट को प्रकाशित करती है जो केन्द्रीय सरकार को 1-5-98 को प्राप्त हुआ था।

[संख्या एल-12012/78/94-आई आर (बी-1)]

पी.जे. माईकल, डेस्क अधिकारी

New Delhi, the 4th May, 1998

S.O. 1019.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of ANZ Grindlays Bank, New Delhi and their workman, which was received by the Central Government on 1-5-98.

[No. L-12012/78/94-IR(B.I.)]
P. J. MICHAEL, Desk Officer

ANNEXURE
BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NEW DELHI

I.D. No. 123/94

In the matter of dispute between:
Mrs. Annu Batra, Banking Asstt.
r/o B-32, Kailash Colony, New Delhi.

Versus

The Manager,
ANZ Grindlays Bank,
K. G. Marg, New Delhi,

APPEARANCES:

Workman in person.

Mr. Sanjay Gupta for the Management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-12012/78/94-IR. (B-I) dated 7th/24th September, 1994 has referred the following industrial dispute to this Tribunal for adjudication:—

"Whether the action of the Management of ANZ Grindlays Bank, New Delhi in terminating the services of Mrs. Annu Batra, Banking Asstt. w.e.f. 13-12-1991 is legal and justified? If not, to what relief she is entitled?"

2. The case was fixed for the evidence of the management when the parties sought time for settlement. The settlement was arrived at and the parties filed application Ex. M-1 containing terms of settlement. Statements of the parties were recorded to the effect that they have arrived at a settlement and the award as per terms of settlement Ex. M-1 may be passed.

3. In view of this situation No Dispute award is passed in this case as the parties have settled the dispute vide settlement Ex. M-1 and shall remain bound by the terms of the said settlement. They are, however, left to bear their own costs.

1st May, 1998.

GANPATI SHARMA, Presiding Officer

Further it is ordered that the requisite number of copies of this award may be forwarded to the Central Government for necessary action at their end.

1st May, 1998.

GANPATI SHARMA, Presiding Officer

नई दिल्ली, 5 मई, 1998

का. आ. 1020 —औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार कलकत्ता पोर्ट ट्रस्ट के प्रबंधन के संबंधित नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कलकत्ता के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 5-5-98 को प्राप्त हुआ था।

[सं० एल-32012/6/93-आई.आर. (विविध)]

पी.जे. माईकल, डेस्क अधिकारी

New Delhi, the 5th May, 1998

S.O. 1020.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Calcutta as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Calcutta Port Trust and their workman, which was received by the Central Government on 5-5-1998.

[No. L-32012/6/93-IR (Misc.)]

P. J. MICHAEL, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

Reference No. 24 of 1994

Parties :

Employers in relation to the management of Calcutta Port Trust.

AND

Their workman

Present :

Mr. Justice A. K. Chakravarty, Presiding Officer.
Appearance :

On behalf of Management : Mr. M. K. Das, Senior Labour Officer (IR) and Mr. G. Mukhopadhyay, Senior Labour Officer (IR).

On behalf of Workmen : Mr. S. Das, Secretary of the union with Mr. P. C. Mondal, Executive Committee member of the union.

STATE : West Bengal INDUSTRY : Port

AWARD

By Order No. I-32012/6/93-IR (Misc.) dated 28-7-1994 the Central Government in exercise of its powers under section 10(1)(d) and (2A) of the Industrial Disputes Act, 1947 referred the following dispute to this Tribunal for adjudication :

“Whether the action of the management of Calcutta Port Trust in imposing the punishment of withholding increment for 2 years on Shri Monoranjan Kurel is justified? If not, to what relief is the concerned workman entitled to?”

2. When the case is called out today, both sides are represented. Representative of the union drew my attention to an application filed on behalf of the union praying for passing of a “No Dispute” Award as the union is no longer interested to proceed with the matter any further. Management has no objection in respect of the said prayer

3. Since the union, which raised the dispute is not interested to proceed with the matter any further and prays for passing a “No Dispute” Award, to which the management has no objection, the present reference is to be disposed as a “No Dispute” Award. A

“No Dispute” Award is accordingly passed.

This is my Award.

A. K. CHAKRAVARTY, Presiding Officer
Dated, Calcutta.

The 20th April, 1998.

नई दिल्ली, 5 मई, 1998

का.आ. 1021.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार कलकत्ता पोर्ट ट्रस्ट के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कलकत्ता के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 5-5-98 को प्राप्त हुआ था।

[सं०एल-32012/4/90-आई.आर. (विविध)]

पी.जे. माईकल, डेस्क अधिकारी

New Delhi, the 5th May, 1998

S.O. 1021.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Calcutta as shown in the Annexure in the industrial dispute between the employers in relation to the management of Calcutta Port Trust and their workman, which was received by the Central Government on 5-5-1998.

[No. L-32012/4/90-IR (Misc.)]

P. J. MICHAEL, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

Reference No. 16 of 1990

PARTIES :

Employers in relation to the management of Calcutta Port Trust

AND

Their workmen.

PRESENT :

Mr. Justice A. K. Chakravarty, Presiding Officer.

APPEARANCES :

On behalf of Management—Mr. G. Mukhopadhyay, Senior Labour Officer (IR).

On behalf of Workmen—Mr. S. Chakravarty, Secretary of the Union.

STATE : West Bengal

INDUSTRY : Coal

AWARD

By Order No. L-32012/4/90-IR (Misc.) dated 8-6-1990, the Central Government in exercise of its powers under Section 10(1)(d) and (2-A) of the Industrial Disputes Act, 1947 referred the following dispute to this Tribunal for adjudication :

“Whether the action of the management of Calcutta Port Trust in demoting Shri Biswanath Adak, who worked as Head Carpenter continuously from 22-4-85 to 30-6-88 in KPD Dry Dock under Deputy C.M.E., Ship Repair Complex of Calcutta Port Trust, to the post of Carpenter Grade I w.e.f. 1-7-88 is justified? If not, to what relief the workman is entitled to?”

2. Union's case is that the management is having Dry Docks at KPD and NSD and there were 39 Grade-II Carpenters, 4 Grade-I Carpenters and 2 Head Carpenters in the dry dock wing under the Ship Repair Complex Division of the Chief Mechanical Engineering Department. On Account of some grievances amongst the Carpenters, the management decided to upgrade three Grade-I Carpenters as Head Carpenters and these posts shall be in addition to the two existing posts of Head Carpenters. This upgradation was given effect from 22-4-1985. The concerned workman, Biswanath Adak who was ordered to work as Carpenter Grade-I with effect from 1-2-1982 thus redesignated as Head Carpenter from 22-4-85. The Deputy Chief Mechanical Engineer, by his order dated 5-7-1988, reverted the concerned workman from Head Carpenter to Grade-I Carpenter from 1-7-1988. Shri Adak made representation against such arbitrary order of reversion. The union also made representation in the matter. The union challenged the order as illegal and arbitrary on the ground that the management cannot demote the concerned workman from Head Carpenter to Grade-I Carpenter and that he should be paid the difference of pay from 1-7-1988 till his next promotion.

3. The management of Calcutta Port Trust in the written statement has alleged that prior to 1985 there were only 2 posts of Head Carpenters and from 1985 three posts of Grade-I Carpenters were upgraded as Head Carpenters, thereby raising total number of Head Carpenters to 5 in number. The concerned workman was the last person to be redesignated as Head Carpenter by reason of such upgradation. One Ananda Kumar Roy, who had been working as Head Carpenter prior to 1985, was suspended and he was reverted to the post of Grade-I Carpenter. The vacancy created by reversion of Ananda Kumar Roy on 19-4-1985 was accordingly filled up by redesignating the concerned workman Biswanath Adak as the last man to get such promotion. Ananda Kumar Roy preferred an appeal against his reversion and he having been exonerated from the charges levelled against him, his position as Head Carpenter was restored with effect from 1-2-1986. Though the concerned workman, Biswanath Adak obtained his redesignation as Head Carpenter due to reversion of Ananda Kumar Roy, still then, he continued to work as Head Carpenter and draw salary in the scale of Head Carpenter till 30-6-1988 due to the failure of the management to detect that he should be reverted on 1-2-1986 on the reinstatement of Ananda Kumar Roy to his old post of Head Carpenter. However, after such error was detected, Biswanath Adak was reverted to the post of Grade-I Carpenter with effect from 1-7-1988. As a matter of fact, the concerned workman has already obtained his promotion to the post of Head Carpenter with effect from April, 1991 after the occurrence of a regular vacancy in the said post. It was submitted on behalf of the management that it has not acted mala fide or took recourse to any unfair labour practice by reverting Shri Adak to his original position on 1-7-1988. It was further submitted that the excess payment made to Shri Adak from 1-2-1986 to 30-6-1988 was not realised from him by creating a supernumerary post of Head Carpenter for the purpose of regularisation of excess payment made to him. The management also alleged that the post of Grade-I Carpenter, was never redesignated as Head Carpenter, but to widen the promotional opportunities of Grade-I Carpenters, three posts of Head Carpenters were created with effect from 19-4-1985. The management also submitted that Shri Adak was allowed to officiate against temporary vacancy of Head Carpenter due to temporary reversion of Ananda Kumar Roy with effect from 22-4-1985 without conferring him any right to claim the said post. The management has accordingly prayed for dismissal of the claim of the union.

4. In its rejoinder the union has alleged that Biswanath Adak was never intimated that his upgradation from Grade-I Carpenter to Head Carpenter was temporary and he will have no claim for permanent adjustment against the post of Head Carpenter and that out of the four posts of Grade-I Carpenter the management cannot upgrade three posts of Grade-I Carpenter as Head Carpenters as all the four posts of Grade-I Carpenters require performance of same job and responsibility.

5. Heard the representatives of the management and the union.

6. Documents were produced by either of the parties and one witness namely, the concerned workman was examined in this case. It is not necessary to discuss these evidence as the facts are all admitted in this case. Admittedly three posts of Grade-II Carpenters having been upgraded as Head

Carpenters on 19-4-1985, the number of Head Carpenters became five as the new three posts were added to the two existing posts. It is also an admitted fact that at the relevant time i.e. on 19-4-1985 Ananda Kumar Roy, one of the two pre 1985 Head Carpenters, was under suspension and he was subsequently referred to Grade-I Carpenter. It is not also denied that he was reinstated to the same post of Head Carpenter from 1-2-1986 in terms of the order of the appellate authority after he preferred an appeal against his order or reversion. The number of existing posts of Head Carpenter being only 5 and the concerned workman Shri Adak being the last man to obtain the promotion, the management was bound to revert him back to his own position as Grade-I Carpenter as no vacancy in the post of Head Carpenter was available to accommodate him. Truly speaking, therefore, the concerned workman lost his right to get the scale of pay of the Head Carpenter and also to work in the said post from 1-2-1986. Admittedly, the concerned workman continued to work in the same post of Head Carpenter till 30-6-1988 as the management committed the error of not reverting him back to Grade-I Carpenter from 1-2-1986. It was submitted on behalf of the management that excess payment as Head Carpenter to the concerned workman till 30-6-1988 from 1-2-1986 was adjusted by creating a supernumerary post in his favour during the said period. Such supernumerary post can be created to meet the exigency of situation but that cannot be a ground for extension of the supernumerary post for an indefinite period i.e. till the concerned workman gets his regular promotion to the post of Head Carpenter.

7. Not a single valid reason was shown on behalf of the union as to why the action of the management in reversion or demotion of the concerned workman on 1-7-1988 was unjustified. It was submitted that upgradation of three posts of Grade-I Carpenter out of four posts was not proper and justified as all Grade-I Carpenters perform same type of work. I fail to understand how the upgradation of a lower post to a higher post can work to the detriment of the workman. The management has every right to upgrade any lower post, if it feels that it is necessary in the interest of administration and the workman to do the same. Further, the question of upgradation of the three posts is not an issue to be considered in this case. This objection of the union regarding upgradation, therefore, has got nothing to do with the present reference.

8. Right of any workman to any particular post depends upon the existence of such a post. In a particular case, where any workman gets his promotion to work in a particular post on officiating basis on the temporary reversion of the permanent incumbent to the said post, the last of the workman who was appointed on seniority basis against the said vacancy, must be deemed to be occupying the post only for the temporary period of reversion of the permanent incumbent. The moment the said reversion is lifted and he is reinstated to his permanent post, the service of such promoted workman has got to be reverted to his original post. That being the position, the management acted absolutely in bona fide manner and the question of indulging in any unfair labour practice by the management does not arise. That the management did not act vindictively against the concerned workman and that it acted in a bona fide manner, will be at once apparent as instead of directing the workman to refund the excess amount drawn by him, it exempted him from refund of the said amount by creating a supernumerary post for the said period for the simple reason that the fault of allowing him to work for the extended period upto 30-6-1988 was not caused by the concerned workman, but occurred on account of commission of the mistake by the management.

9. Thus, I have considered all the points referred to me in this case. As stated above the action of the management in demoting Shri Biswanath Adak who worked as Head Carpenter continuously from 22-4-1985 to 30-6-1988 in KPD Dry Dock under Deputy C.M.E., Ship Repair Complex of Calcutta Port Trust to the post of Carpenter Grade-I with effect from 1-7-1988 was accordingly justified. The workman shall not be entitled to any relief in this case.

This is my Award.

Dated, Calcutta,

The 16th April, 1998

A. K. CHAKRAVARTY, Presiding Officer

नई दिल्ली, 5 मई, 1998

का.आ. 1022.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार टिसको लि. के प्रबंधन के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, राउरकेला के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 5-5-98 को प्राप्त हुआ था।

[सं० एल-26012/18/93-आई.आर. (विविध)]
पी.जे. माईकल, डेस्क अधिकारी

New Delhi, the 5th May, 1998

S.O. 1022.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Rourkela as shown in the Annexure, in the industrial dispute between the employers in relation to the management of TISCO Ltd., and their workman, which was received by the Central Government on 5-5-1998.

[No. L-26012/18/93-IR (Misc.)]
P. J. MICHAEL, Desk Officer

ANNEXURE

IN THE COURT OF THE PRESIDING OFFICER,
INDUSTRIAL TRIBUNAL, ROURKELA
Industrial Dispute Case No. 48/97 (C)

Dated the 30th March, 1998

PRESENT :

Shri R. N. Biswal, L.L.M.,
(O.S.J.S. Sr. Branch),
Presiding Officer
Industrial Tribunal,
Rourkela.

BETWEEN :

The Divisional Manager,
(Geological Services)
TISCO Ltd., Jamshedpur ... 1st party

AND

Shri Gopinath Mohanta
C/o Shri B.S. Pati, Secretary
North Orissa Workers Union,
Rourkela-J2 ... IInd party

APPEARANCE:

For the 1st party—None.

For the IInd party—None

AWARD

The Govt. of India in the Ministry of Labour Department in exercise of their power conferred under clause (d) of sub-section (1) and sub-section 2(A) of 1251 GI/98—12

section 10 of the Industrial Disputes Act, 1947 have referred the following dispute vide reference No. L-26012/18/93-IR (Misc.) dated 25-08-1994 for adjudication.

“Whether the action of the management of TISCO Ltd. in terminating the services of Shri Gopinath Mohanta P. No. 195570 w.e.f. 1-4-1992 is legal and justified ? If not, to what relief the workman is entitled to ?”

2. The case was fixed on 26-3-98 for hearing. On that date both parties remained absent but earlier they had sent a joint petition by post to pass No Dispute Award as they had settled their dispute amicably outside the court in the mean time. Accordingly No Dispute Award is passed.

R. N. BISWAL, Presiding Officer.

30-3-98

नई दिल्ली, 5 मई, 1998

का.आ. 1023.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार टिसको लि. के प्रबंधन के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, राउरकेला के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 5-5-98 को प्राप्त हुआ था।

[एल-26012/17/93-आईआर (विविध)]
पी.जे. माईकल, डेस्क अधिकारी

New Delhi, the 5th May, 1998

S.O. 1023.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Rourkela as shown in the Annexure, in the industrial dispute between the employers in relation to the management of TISCO Ltd., and their workman, which was received by the Central Government on the 5-5-1998.

[No. L-26012/17/93-IR (Misc.)]
P. J. MICHAEL, Desk Officer

ANNEXURE

IN THE COURT OF THE PRESIDING OFFICER,
INDUSTRIAL TRIBUNAL, ROURKELA

Industrial Dispute Case No. 47/97 (C)

Dated the 30th March, 1998

PRESENT :

Shri R. N. Biswal, L.L.M.,
(O.S.J.S. Sr. Branch)
Presiding Officer
Industrial Tribunal,
Rourkela.

BETWEEN

The Divisional Manager
(Geological Services)
TISCO Ltd., Jamshedpur .. Ist party

AND

Shri Kandara Majhi,
C/o Shri B. S. Pati
Secretary, North Orissa
Workers Union,
Rourkela-12 .. IInd party

APPEARANCE :

For the Ist Party--None.

For the IInd party—None

AWARD

The Govt. of India in Ministry of Labour Department in exercise of their power conferred under clause (d) of sub-section (1) and sub-section 2(A) of section 10 of the Industrial Disputes Act, 1947 have referred the following dispute vide reference No L-26012/17/93-IR (Misc.), dated 25-08-1994 for adjudication.

“Whether the action of the management of TISCO Ltd. in terminating the services of Shri Kandra Majhi, P. No. 195560 w.c.f. 1-4-1992 is legal and justified ? If not, to what relief the workman is entitled to?”

2. The case was fixed on 26-3-98 for hearing. On that date both parties remained absent, but earlier they had sent a joint petition by post to pass No Dispute Award as they had settled their dispute amicably outside the Court in the meantime. Accordingly No Dispute Award is passed.

R. N. BISWAS, Presiding Officer

30-3-1998

नई दिल्ली, 6 मई, 1998

का.आ.1024-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंटरनेशनल एयरपोर्ट ऑथोरिटी ऑफ इंडिया के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, सं. 2, बम्बई के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 5-5-98 को प्राप्त हुआ था।

[सं. एल-11012/9/89-आई.आर. (विधि) भाग 1]

पी.जे. माईकल, डैस्क अधिकारी

New Delhi, the 6th May, 1998

S.O. 1024.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, No. 2, Mumbai as shown in the Annexure, in the indus-

trial dispute between the employers in relation to the management of International Airports Authority of India and their workman, which was received by the Central Government on the 3-5-98.

[No. L-11012/9/89-IR (Misc.) Part-I]

P. J. MICHAEL, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. II, MUMBAI

PRESENT :

Shri S. B. Panse, Presiding Officer.

Reference No. CGIT-2/3 of 1990.

Employers in relation to the Management of International Airports Authority of India

AND

Their Workman

APPEARANCES :

For the employer : Mr. Shamrao Patil, Advocate.

For the workman : Mr. Sanjay Singhvi, Advocate.

Mumbai, dated 31st March, 1998

AWARD—PART-I

The Government of India, Ministry of Labour by its order No. L-11012/9/89-IR (Misc.), dated 24-1-1990, had referred to the following Industrial Dispute for adjudication.

“Whether the action of the management of International Airport Authority of India, Bombay in removing Mr. T. C. Shivaprasad, Mechanic (ACR), Bombay Airport with effect from 9-2-1988 is legal and justified ? If not, to what relief the workman is entitled to ?”

2. The Secretary of the International Airport Authority Employees Union filed a Statement of claim at Exhibit-2. It is pleaded that T. C. Shivaprasad was employed in the International Airport Authority of India, Bombay (hence forth referred as the authority) is mechanical (ACR) by an appointment letter dated 5-6-81. He joined the service on 10-6-81. He was removed from the service on 9-2-88.

3. The workman Shivaprasad was suspended on 9th January, 1987. He was served with a chargesheet on 6th April, 1987. He was under Airport Authority of India Employees (Conduct, Discipline and Appeal) Regulations 1987 (hereinafter referred as regulations). It was in connection with the incident which took place on 9-12-86. There was an agitation by the employees of the management on that day. As a result of which there had been a power failure of vital installations

4. It was alleged that the workman committed misconducts under the regulations namely :—

- (i) (a) Abetting, inciting and instigating the power house staff to leave their duty place and switching 'OFF' the power supply from power house No. 1, Terminal-I.
- (b) Sabotaging the system of power supply.
- (ii) Inciting and instigating the employees to go to Power House, Terminal-II and switch 'OFF' the power supply and bring the power house staff to the site of agitation.
- (iii) Causing disruption in normal functioning of Civil Aviation.
- (iv) Endangering safety and security of Airport.
- (v) Endangering safety and security of Aircrafts and passengers.
- (vi) Causing immense hardships to the users of the Airport and travelling passengers.
- (vii) Disorderly and riotous behaviour.
- (viii) Commission of acts subversive to discipline and good behaviour.
- (ix) Acting in a manner prejudicial to the interest of the Authority.
- (x) Acting in a manner which is unbecoming of an employee of the Authority.

5. Alongwith the chargesheet, statement of alleged misconducts relating to imputations of misconduct in respect of the articles of charges was sent to the worker. On the morning of 9th December 1986 there was an incident of alleged manhandling of one Airport Managers of International Airport Authority of India by a traffic Police Inspector. Some of the Office bearers of the unions as well as officers of Association protested with the General Managers against the same. But inspite of the C.M's assurances to the employees the workman took a very active, prominent and leading role in organising the agitation by giving a call to the officers and staff to leave their duty place and come to stage demonstration in front of Terminal-I. He was shouting for immediate suspension of police Inspector failing which the agitators would not disperse and none of the employees will return to their duty place. It is further pleaded that then the group lead by the workman went to power house number one terminal and forced that staff to come out and switched off power supply at about 14.40 hours. It caused failure of light and Air-conditions in terminal-I and failure of Air traffic Control service and other navigational services housed in Terminal-I. There were removal of

office and opening of selector switch off position. It is with the generators switches were manually started by the concerned Executive Engineers at about 3.00 p.m. The power did not go further to essential services. There were different types of allegations against the workman in the enclosed statement.

6. It is averred on behalf of the workman that he gave a reply to the chargesheet on 20th April, 1987. It is contended from the beginning on behalf of the workman that the inquiry which is tried to be conducted under the regulation is illegal and it should be under Industrial Employment (Standing Orders) Act of 1946 (hereinafter referred as the Act). He contended that that issue should be first answered but the authority did not consider it.

7. It is pleaded that the inquiry was started on 14th July 1987 and was concluded in December 1987. It is averred that the inquiry was against the Principles of Natural Justice. It is averred that the Appeal which was preferred by him was rejected without any cogent reasons.

8. It is asserted on behalf of the workman that he was not supplied with the preliminary report on which basis a chargesheet was issued to him and a domestic inquiry was started. It is therefore, the inquiry is against the Principles of Natural Justice. It is averred that there were many other employees concerned in that agitation but no action was taken against them and the workman is singled out. This is again against the Principles of Natural Justice. It is submitted that the findings of the inquiry officer are perverse. They are not based on the evidence before him. He did not consider the contradictions which are on the record, while assessing the evidence of the different witnesses. It is pleaded that as the inquiry was held under the regulations, the different rights which are accrued to the workman, under the Act cannot be availed of. It is therefore the inquiry is against the Principles of Natural Justice. It is submitted that the second show cause notice was not given to the workman as it is not provided under the regulations which has caused injustice to him. It is averred that while passing the orders of removal the authority did not consider the past record of the worker and has satisfactory service. It is therefore prayed that the order of removal of Shivprasad the workman be set aside and order of reinstatement with service rights may be passed.

9. The authority resisted the claim by the written statement (Exhibit-3). It is averred that the service conditions of the workman are governed under the Regulations and not under the Act as alleged on behalf of the workman. It is pleaded that the Chairman of the authority by his letter dtd. 10-12-86 constituted a committee to investigate the circumstances leading to power failure, identify the persons responsibilities in the matter and proposed

measures to prevent such a situation in future. After receiving the report from the committee the authority was satisfied that there was a prima facie case against the delinquent. He therefore framed a chargesheet against him. It is submitted that the inquiry officer neither relied upon the statements/examinations recorded, opinion gathered by the inquiry committee in their investigation for arriving at any conclusion. It is therefore not necessary for the authorities to furnish a preliminary inquiry report to the workman. It is averred that as the provisions of the Act are not applicable in a domestic inquiry conducted against the workman, the contentions taken by him on those grounds that the domestic inquiry is against the Principles of Natural Justice is without any merit. It is asserted that the inquiry which was conducted under the regulations was as per the principles of Natural Justice and the findings of the inquiry officer are based on the evidence before him.

10. The authorities asserted that the report of the inquiry officer is logical, he had appreciated the evidences before him thoroughly and had submitted his report as required under the regulations. It is averred that the inquiry was conducted in English as there was no objections from the workman or that he was understanding the same. It is averred that the allowance which was paid to him was under the regulations and not under the Act which was sufficient. No prejudice was caused to him. It is submitted that the authority while awarding the punishment had considered all aspects and instead of dismissal had passed the punishment of removal with a view that in future he should not suffer and get another employment. It is averred that if the Tribunal comes to the conclusion that the inquiry which was held against the workman was not legal and proper and the findings of the inquiry officer are perverse then the authority may be given an opportunity to justify its action. For all these reasons it is submitted that the workman is not entitled to any of the reliefs.

11. My Learned Predecessor framed issues at Exhibit-4. Issues Nos. 1—4 & 4A are treated as preliminary issues. The issues and my findings thereon are as follows :

Issues	Findings
1. Whether the inquiry conducted against the workman, not under Industrial Employment (Standing Orders) Act, 1946, but under the International Airports Authority of India, Employees (Conduct, Discipline and Appeal) Regulations, 1987, is bad in law ?	No
2. Whether the workman is governed by the model standing orders ?	No

- | | |
|--|---|
| 3. Whether, by not conduction the inquiry under the Industrial Employment (Standing Orders) Act, 1946 the workman was deprived of his certain rights, and benefit as alleged by him in para 26 of his statement of claim ? | Does not survive. |
| 4. Whether the inquiry against the workman was not held properly, and the rules of natural justice were not properly followed ? | The inquiry, was fair and proper. |
| 4A. Whether the findings of the inquiry officer are perverse and not based on the evidence before him ? | Findings are not perverse and based on the evidence before him. |

REASONS

12. Undisputed facts of the case can be summarised as follows :

The workman Shivprasad was given an appointment letter dtd. 5-6-87 to join as mechanical (ACR) at airport of Bombay. He joined the service on 10-6-81 till his removal he served in Air-condition plant at Terminal-I of Santacruz, Bombay. On 9th December 1986 at the Airport there was a power failure of vital installation in the noon. The employees of the authorities had an agitation because of man-handling of one Airport Manager by a traffic police inspector. The Chairman of the authority constituted a committee to investigate the circumstances leading to power failure, identify the persons responsible for the same and propose measures to prevent such a situation in future. The committee submitted his report. On its basis the authority prima facie came to the conclusion that the workman is responsible for the events. He was suspended on 9th January, 1987. Later on he was served with a chargesheet dtd. 6-4-1987.

13. The domestic inquiry was conducted under Regulations and not under the Act. The workman was not given a preliminary report. The inquiry was in English and he was not given a second show cause notice. The workman conducted an inquiry himself. The inquiry officer found the workman guilty of the charges levelled against him. The authorities accepted the report and passed an order of removal of the workman from the establishment of the authority.

14. Mr. Sanjay Singhvi, the Learned advocate for the workman vehemently argued that from the beginning it was the case of the workman that his service conditions are governed by the Act, and not under the regulations. Therefore the charge-sheet which is issued is bad in law. He further argued that as the Inquiry was conducted under the Act and not under the Regulations it is against the Principles of Natural Justice. Mr. Patil, the Learned Advocate for the authority on the other hand submitted that the inquiry which was conducted under regulations is perfectly legal and proper. Now it is to be seen on the submissions made before me whether the Act is applicable to the service conditions of the workman or the regulations.

15. At this juncture I would like to state that it was argued on behalf of the workman that the workman did not depose how the Act is applicable and not the regulations. On the other hand the witness for the authority deposed to that effect. The workman did not discharge the burden. Therefore, the Tribunal must come to the conclusion that the 'Act' is applicable and not the regulations. I am not inclined to accept this. The reason is that it is question of law and the oral evidence of the party is not material as is argued on behalf of the authority.

16. The Industrial Employment (Standing orders) Act 1946 came into force on 23-4-1946. It was enacted to provide for defining conditions of employment for Industrial Establishments in the State of Bombay. Under Section 2(e) Industrial Employment is defined as under: Clause-II of Section 2 of Payment of Wages Act of 1936 or Clause-M of Section-2 of the Factories Act, 1948. On 23-4-46 the Payment of Wages Act, 1936 was already in force. However the said Act was not applicable to the Air Transport Service, or management of Aerodromes the air transport service came to be included in Section 2(2) of the Payment of Wages Act only in 1964. It came into force on 1-1-65. In other words the payment of wages Act was not applicable to Air Transport service.

17. It is tried to argue that in view of Section 2(ii) (b) of the Payment of Wages Act of 1936 Industrial Establishments means Dock, wharf or Jetty. It is tried to submit that Aerodrome are like that of Docks. Therefore they are Industrial Establishments. Looking to the definition of dock it cannot be said that Aerodrome can be said to be a dock as defined in the above said definition.

18. It is further tried to argue that it is an Industrial Establishment as defined in Section 2(II) (f) of Payment of Wages Act. It says workshop or other establishment in the articles are produced, adopted or manufactured with a view to their use, transport or sale. It is not the case of the workman that the work which is carried out in the air-condition plant or in Terminal-I where he was working was carrying out no other activity for the benefit or the use of any other industry. The Air-condition plant where the workman was working

was essential for the business of the authority. It can be seen that the work of maintaining and repairing of electrical, electronic, mechanical and Airconditioning systems are required for its main activity of managing the airports effectively and to provide at the airport services and facilities which are necessary or desirable for operations of air transport services there. Those activities were not carried out for benefit of the third parties. But in fact they were carried out as contemplated under section 16 of the International Airport Authorities Act, 1971.

19. On behalf of the union the reliance was placed on Air India Vs. Union of India 1991 LAB IC 451 where in the High Court of Delhi came to the conclusion that Air Corporation Act should not be regarded as obliterating the applicability of Standing Orders Act necessity of the previous approval of the Central Government under Section 45 (2)(b) would only mean that with regard to promulgation of the Regulations for the employees other than workman Central Government's Approval has to be obtained. The necessity to obtain prior approval will not make the Air Corporation Act a special Act. But it can be seen that the High Court of Bombay in the case Arun Aware Vs. Air India in writ petition No. 2620 of 1988 which was decided on 14-9-94 came to the conclusion that since Air India service regulations came into force prior to 1-1-65 section 13(b) of the said Act 1946 was not applicable to the said Air India service regulations. The High Court of Bombay disagreed with the decision of the Delhi High Court. On its basis from the above said discussion it is very clear that the establishment cannot be said to be an Industrial Establishment under the Payment of Wages Act.

20. It is tried to argue on behalf of the union that it is an Industrial Establishments under section 2(e)(ii) the factory is defined in Clause-M of Section 2 of the Factories Act of 1948. The Air-conditioning unit in which the workman was working was a factory under the Factories Act. It is tried to argue that if one of the part of the premises there is a factory the whole premises becomes factory. To substantiate this contention the reliance was placed on behalf of the union on A. H. Bindwala Vs. State of Bombay 1961 II LLJ 77 SC; M/s. Grauer and Weil Ltd. Vs. Collector of Central Excise AIR 95 SC 543. It can be seen that in Bhiwandi Wallas case there was allocation in one union only. There were not departments branches etc. Looking to the facts of the case it appears that it has no application to the present set of facts. In Grauer and Weil's case the Supreme Court held that Chronic Acid section was an integral part of the factory where Sodium Bishromate was manufactured and hence it was not entitled to exemption from the payment of excise duty. It is to be seen whether it is a part of the main establishment or it is an independent section or department or a unit depends upon the facts of each case. What is to be seen is the main activity of the factory.

Then an incidental activity is an integral part of the main activity. Then it is also a factory. Looking to the facts of the present case it can be seen that Air conditioning and electronic units are engaged in minor activities and they are integral part of or establishments to manage the airports efficiently and to provide at the airport such services and facilities as are necessary or desirable for the efficient operations of air-transport service. The main functions are specified in section 16(1) and 16(2) of the International Airports Authority Act of 1971. Mr. Deokar Goel (Ex-29) Senior Personnel Officer deposed that the main activities of the establishments are not governed by the provisions of the Factories Act of 1948. Hence the main establishment is not a factory.

21. In *Dr. P. S. S. Sunderrao Vs. Inspector of Factories 1985 LIC 555* Their Lordships observed that the paramount or the primary character of the main institution alone has to be taken into consideration and when the main institution is not a factory the department thereof cannot become so even though manufacturing process is carried on there. It can be seen in the present case that the main activity of the establishment cannot be said to be a manufacturing process as deposed by Mr. Deokar. There is no contrary evidence on behalf of the union. Under such circumstances relying on the ratio in the authority it cannot be said that it is an Industrial Establishment.

22. In another case that is *S.C. Chemicals and Dyes Trading Employees Unions Vs. S. G. Chemicals and Dyes Trading Limited 1986 1 LLJ SC 490* Their Lordships observed that the Trombay Factory of the Churchgate Division constituted one establishment and the company as the factory could not have conveniently existed and functioned with a Churchgate division. It further observed that merely because registration is required to be obtained in a particular situation it does not make the business or undertaking or an industry so registered a separate legal entity except where the registration of incorporation is obtained under Companies Act. It is therefore rightly argued on behalf of the authority that the establishment cannot be said to be an Industrial Establishment under the Factories Act.

23. The Learned Advocate for the union argued that the regulations which are alleged to be notified are not under section 13(b) of the Act but are under section 37 of the International Airport Authority Act of 1971. As that is so it cannot be said that the regulations are not existing so far as the service conditions of the workman are concerned. I am not inclined to accept this submission. It can be seen that the regulations were notified on 7th January, 1987 in exercise of the power conferred by Clause (b) of subsection (2) of Section 37 read with Section 2 of Section 10 of the International Airports Authorities Act of 1971. It says that it applies to all employees but not to those persons whose terms and conditions of service are governed by the Act. After perusal of Section

13(b) of the Act and referring to the notification I find that there is no need to mentioning of section 13(b) in the said notification to make applicable these regulations to the employees. It is because the definition of employees which is in section 3(1) speaks that the employees of the authority other than the casual work staff or competent staff or a workman and includes the person on deputation to the authority. Therefore it clearly applied to Shivprasad.

24. In *K. V. R. Shetty and Secretary to Government Chairman Department and Ors. 1980 1 LLJ 265*. It is observed by Their Lordships that there is no reason why there should be two separate notification under section 45 of the Act and the other under section 13(b) standing order Act and why only one notification cannot perform both the functions. His Lordships observed that the notification under section 45 of the Karnataka State Road Transport Corporation Service conduct and discipline Regulations 1971 should be regarded as being made also with reference to and for the purpose of section 13(b) of the Standing Orders Act. Relying on the ratio in this authority I came to the conclusion the regulations which are notified under section 37 which I have discussed above are also a notification under section 13(b) of the Act. Therefore it has to be said that the regulations came into existence from the date of notification that is from 7th January 1987. It is therefore a departmental inquiry which was held under the regulations is perfectly legal and valid. The Act is not applicable to the domestic inquiry against Shivaprasad.

25. It is tried to argue on behalf of the union that the Regional Labour Commissioner had passed an order on 12th February 1994 on the subject of application of Model Standing Orders in respect of International Airport Authority. It is tried to submit that under such circumstances it has to be said that the 'Act' is applicable and not the regulations. I am not inclined to accept this submission. It is because the R.L.C. under the 'Act' had no power to decide the dispute between the parties regarding the application of the 'Act'. If any question arises as to the application or interpretation of the standing orders the same has to be decided by the specific labour court under section 13(a) of the Act. On 16-10-88 a notification is issued to the effect that this court has power to decide that question. Under such circumstances I do not find any relevancy of the order passed by Regional Labour Commissioner on 10th February 1994.

26. From the above said discussion it is very clear that the service conditions of Shivaprasad are governed under the regulations and not under Model Standing Orders Act. It can be further seen that as regulations are notified even if the workman is deprived of his certain rights and benefits under the Act nothing could be done in the present matter.

27. The Learned Advocate for the authority tried to argue that from the evidence on the record it can be seen that Shivaprasad was not deprived

of any benefit which he was entitled to. I find merit in it.

28. Shivaprasad was given an opportunity to be defended by other employee. There were two unions working in the Airport. He could have very well engaged an office bearer of the union. He did not depose that he sought a permission to be represented by the office bearer and it was refused by the inquiry officer R. K. Aggarwal (Ex-38). On the other hand Aggarwal deposed that there was no such prayer. The office bearers are the employees of the authority. He could have done so. It can be seen that Shivaprasad had decided to defend his case personally. From the record defend his case personally. From perusal of the record I am not inclined to accept that, that has caused prejudice.

28. Shivaprasad had written letters in English to the inquiry officer and to the authority. He did not depose that as the inquiry proceeding was held in English he was prejudiced. Infact he is well versed with it and not in any other language viz. Hindi and Marathi. What is to be seen is whether any inconvenience is caused by conducting the inquiry in a particular language. No case is made out by the workman that he could not understand the proceedings as it was held in English.

30. Admittedly copy of the preliminary inquiry report was not submitted to Shivaprasad. Goel (Ex-29) and Aggarwal (Ex-38) both corroborates each other and states that preliminary inquiry report was never relied upon while conducting the inquiry and submitting the inquiry report. As it was not relied upon by the inquiry officer obviously there was no need to give its copy to the workman. Aggarwal the inquiry officer in categorical term deposed that he did not rely upon the preliminary inquiry report. Shivaprasad could not make out the case that the inquiry officer and the authority used a preliminary inquiry report against him in a domestic inquiry. Nodoubt it was used at a preliminary stage viz. coming for a conclusion that there is a prima facie case against the workman. For that purpose it is not at all necessary for the authority to give its copy to the workman.

31. It can be seen that so far as the subsistence allowance is concerned under the Act it is little bit higher than under the regulations. Shivaprasad was getting that subsistence allowance. Eventhough he has received a little less amount that has not caused any prejudice. It is not his case that because of that he could not attend the inquiry or defend his case. What is to be proved is that it caused a prejudice. Shivaprasad failed to establish the same.

32. The Learned Advocate for the union argued that the inquiry officer did not comply with clause-19 of the regulations. It deals with how the inquiry officer should submit his report. The inquiry officer's report is at Exhibit-49. Clause-19

states that what the inquiry report should contain. After perusal of that clause and the report which is at Exhibit-49 I find that Mr. Aggarwal the inquiry officer had stand the list of the charges and the case of the authority. The defence which was taken by Shivaprasad. He then assessed the evidence and had given clear findings on each of the issues. It is needless to say that everybody's way of writing the report is different. What is to be seen whether all the requirements mentioned in Clause-9 are fulfilled or not. I find the inquiry officer had done so. There is no reason to discard it on any failure ground.

33. The Learned Advocate for the union referring to Clause-16 submitted that after completing the evidence the employee and the Presenting Officer may file written briefs of the respective case within fifteen days of the date of completion of the evidence. It is tried to submit that the inquiry officer did not consider the written brief which was filed by Shivaprasad while submitting the report. Aggarwal the inquiry officer in categorical term admitted that he relied upon the three documents mentioned in the report and no more. It is tried to submit on behalf of the authority that there was no written brief on behalf of Shivaprasad in the inquiry and there were oral submissions only. After considering the order sheets dt. 31-10-87 and 14-12-87 I find substance in it. Infact if really a written draft would have been filed there was no reason for the inquiry officer not to consider the same. Taking into consideration the evidence, oral and documentary which reflects in the inquiry report there cannot be anything different in the written draft of Shivaprasad. I find that, contention of the union is without any merit. Even for the sake argument if it is said that it is not so mentioned in the inquiry report the contentions which Shivaprasad had taken in the inquiry proceedings is fairly reflected in the report. That is not caused any prejudice to him. For all these reasons I find that the domestic inquiry which was held against the workman was as per the Principle of Natural Justice.

34. Mr. Patil, the Learned Advocate for the authority argued that there is no evidence on behalf of the union that the findings of the inquiry officer are perverse. It has to be decided that the findings are proper. According to him it is because the inquiry officer and Deokar, Senior Personnel Officer deposed that the findings of the inquiry officer are proper. For deciding this issue there is no need for any oral evidence. What is expected by the Tribunal is to see inquiry proceedings and the evidence thereon for coming to the conclusion whether the findings of the inquiry officer are perverse and or not based on the evidence before him.

35. Exhibit-42 is the chargesheet dated 6th April, 1987 issued to the workman. It is along with the Annexur-1, 2 & 3. At Exhibit-45 there

is a statement of defence dt. 31-10-87. At Exhibit-46 there are statements of management witnesses 1—14. Then there is an examination of delinquent under Clause-15 of Regulation-28 (Exhibit-47). Then Shivaprasad had examined two different witnesses and their statements are at Exhibit-48. Then the inquiry officers report at Exhibit-49.

36. It can be seen that the authority relied upon three documents which are at Exhibit-p1, p2 & p3 in the inquiry and had examine 14 witnesses. As against that the workman examined two witnesses to support his case. The defence of the worker that even though he had no desire to join the agitation which took place in front of terminal-I building of Bombay Airport throughout the period from 14.40 hours when the power supply went off till its restoration he remained in front of that building but he did not switch off the power supply nor he instigated or insisted any one to do so. According to him he was made a scape goat because he was against the agitation of the officers association.

37. From the defence which was taken by Shivaprasad it is very clear he was in the mob of agitators. It can be seen from the testimony of different witnesses such as J. M. Sharma, Shafi, Kholi and Nayak that the workman was in the mob of agitators. He was giving slogans. There is an evidence of Sharma that the mob including Shivaprasad threatened the workers who were working in the power house to go out of its otherwise they would be assaulted. Shivaprasad, was one of the member of the slogan raising crowd. In fact he led the crowd. This crowd was against the idea of restoring the lights. Sharma deposed that Shivaprasad was not agreeable for restoring the light even though requests were made to him. At least when the lights could be restored with the help of Sharma and others Shivaprasad abused him by the word 'Gadha'. It can be seen that from the testimony of the authorities witnesses there were many others who participated in the agitation but the inquiry officer could not say anything in respect of them because there was no charge against them and there was no inquiry against them before him. I find substance in it. The inquiry officer has to see the charges and the person concerned.

38. Shishupal the inspector who was on duty for the Airport Security affirmed that Shivaprasad was instigating the staff and the authority for agitation. He was agitating for putting off the lights and from bringing the vehicles. From the cross-examination of these witnesses nothing had come on the record to show that they are deposing falsely or that they had some interest to depose falsely against Shivaprasad. It can be seen that most of the witnesses corroborates on the point that Shivaprasad was in the mob. He was shouting and instigating for going on agitation and switching off the lights. He was against the restoration of the lights and closing the agitation. So far as the defence

witnesses are concerned their testimony is not helpful to Shivaprasad for coming to the conclusion that he had done nothing. The inquiry officer has categorically stated that the witnesses corroborated each other on the point that Shivaprasad was instigating the agitators and the power house staff to leave their duty place and switch off the power supply from the power house No. 1, Terminal-I.

39. S. D. Nilay (PW-5) affirmed that he was forcefully made to sit by Shivaprasad in yellow coloured jeep having a driver with name of Shri Ranchod for bringing the staff to Terminal-II. That itself goes to show that Shivaprasad was instigating the agitation. Nothing had come on the record to show that there was any reason for Nayak to depose falsely against Shivaprasad.

40. The inquiry officer had clubbed the charges and had discussed the evidence. It can be seen that charge-1(i) is proved. So also Charge-2. Thus other charges are incidental one. He had clubbed those charges in different paragraphs to avoid repetition. There is nothing wrong in it. The findings given by the inquiry officer are based on the evidence before him. They are rational. I don't find anything illogical in it.

41. The Learned Advocate for the union while arguing the matter submitted that there is difference of time in the testimony of these witnesses. No doubt there is a little difference. But what is to be seen is whether the witness is deposing truth or not. The proof which is required in a domestic inquiry is different than the proof required in criminal trials. The difference in timing might help the accused in the criminal trial but it will not in a domestic inquiry. Here it is to be seen on the preponderance of probabilities, the charges are proved or not. Here I find therefrom oral evidence lead before the inquiry officer, he rightly came to the conclusion that the charges are proved barring switching of the lights. I do not find any perversity in it. Perversity means the findings are against the evidence and without any evidence. There is nothing like that in the present matter. In the result I find that the findings of the inquiry officer are not perverse and based on the evidence before him. For all these reasons I record my findings in the issues accordingly and pass the following order :

ORDER

The inquiry conducted against the workman not under Industrial Employment (Standing Orders) Act, 1946, but under the International Airports Authority of India Employees' (Conduct, Discipline and Appeal) Regulations 1987 is legal and proper.

The inquiry which is conducted against the workman is as per the Principles of Natural Justice.

The findings of the inquiry officer are not perverse.

S. B. PANSE, Presiding Officer